

## **EXHIBIT 1**

**BAKER & HOSTETLER LLP**

45 Rockefeller Plaza  
New York, New York 10111  
Telephone: (212) 589-4200  
Facsimile: (212) 589-4201  
David J. Sheehan  
Geraldine E. Ponto  
Gonzalo S. Zeballos

*Attorneys for Irving H. Picard, Trustee  
for the Substantively Consolidated SIPA Liquidation  
of Bernard L. Madoff Investment Securities LLC and  
the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the  
Substantively Consolidated SIPA Liquidation of  
Bernard L. Madoff Investment Securities LLC  
and the Estate of Bernard L. Madoff,

Plaintiff,

v.

FEDERICO CERETTI, *et al.*

Defendants.

No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

**LETTER OF REQUEST**

Adv. Pro. No. 09-01161 (SMB)



**REQUEST FOR INTERNATIONAL JUDICIAL ASSISTANCE TO THE  
APPROPRIATE JUDICIAL AUTHORITY IN BERMUDA**

Presenting his compliments to the appropriate judicial authority of Bermuda, this Request is made by The Honorable Stuart M. Bernstein, of the United States Bankruptcy Court for the Southern District of New York, which is located at One Bowling Green, New York, New York 10004-1408, United States of America, to the Registrar of the Supreme Court, Second Floor, Government Administration Building, 30 Parliament Street, Hamilton HM12, Bermuda.

A copy of the documents obtained through the examination together with a copy of the transcript of the examination and the certification of the Bermuda Registrar should be returned to The Honorable Stuart M. Bernstein, United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, New York, 10004-1408.

In light of the international law and comity that exists between the United States and Bermuda, the undersigned applicant respectfully submits this Request:

**INTRODUCTION**

This Request seeks evidence for use in the above-named proceeding pending before this Court, which alleges claims arising under the Securities Investor Protection Act of 1970, 15 U.S.C. §§ 78aaa-III (“SIPA”), and applicable provisions of the United States Bankruptcy Code, and the New York Debtor and Creditor Law. This Court has not yet made a determination on the merits of the claims and allegations asserted by the Plaintiff in this action, which are summarized below.

The Plaintiff’s Fourth Amended Complaint filed on March 17, 2014 (ECF No. 100 (hereinafter, “FAC”)) seeks, *inter alia*, to avoid and recover \$926,351,905 in fraudulent transfers made to Kingate Global Fund, Ltd., In Liquidation (“Kingate Global”) and Kingate Euro Fund, Ltd., In Liquidation (“Kingate Euro” and together with Kingate Global, the “Kingate Funds”) under the Bankruptcy Code, the New York Debtor Creditor Law, and SIPA § 78fff-2(c)(3).

The FAC makes clear that the Plaintiff's allegations against the Kingate Funds, and in particular, of their actual knowledge of fraud and willful blindness are largely based on the imputation of the knowledge and bad faith of their service providers, their officers and agents, and the individuals that dominated and controlled them, including Mr. Federico Ceretti, and Mr. Carlo Grosso, who founded the Kingate Funds.

Messrs. Ceretti and Grosso structured the Kingate Funds with management companies that they directly or beneficially owned and controlled. In 1994, Messrs. Ceretti and Grosso established the nominal management company, Kingate Management Limited ("KML"), which assigned its management responsibilities to FIM Limited and later its affiliate, FIM Advisers LLP ("FIM Advisers" and with FIM Limited, "FIM"). Together, KML and FIM (collectively, the "Kingate Managers") purported to "advise," "consult," and "manage" the Kingate Funds.

On Mr. Ceretti's and Mr. Grosso's direction, the Kingate Funds engaged other service providers for the Kingate Funds, including Citi Hedge Fund Services Limited ("Citi Hedge"), based in Bermuda, as administrator, HSBC Bank Bermuda ("HSBC"), as custodian, and PricewaterhouseCoopers ("PwC") through its Bermuda division PwC Bermuda, as auditor.

Mr. Ceretti and Mr. Grosso have first-hand knowledge of the flow of the Kingate Funds' assets to and from HSBC, and gave direction as to the movement of those funds to and from BLMIS, or to the Kingate Funds' other service providers. Mr. Ceretti and Mr. Grosso also have first-hand knowledge of the roles performed by Citi Hedge, HSBC, PwC, and PwC Bermuda on behalf of the Kingate Funds, and the concerns raised by these service providers about BLMIS in the course of performing their roles.

On August 11, 2015, in its denial of the Kingate Funds' Motion to Dismiss, this Court found, in relevant part

"The allegations in the FAC are . . . sufficient to support the inference that the

Funds benefitted from the actions of their agents even if the agents were conflicted and also acted for their own benefit.” . . .

*Picard v. Ceretti (In re Bernard L. Madoff Inv. Sec.)*, Adv. No. 09-01161 (SMB), 2015 WL 4734749, at \*15-16 (S.D.N.Y. Aug. 11, 2015).

Mr. Brook was a partner at PwC Bermuda, the Kingate Funds’ auditor, and led PwC Bermuda’s engaged with the Kingate Funds. The purpose of this Request is to obtain documentary and testimonial evidence from Mr. Brook, a non-party in this proceeding and a resident of Bermuda, for use as evidence in a trial in this proceeding in this Court and in support of the facts pleaded in the FAC.

### **THE PARTIES AND THEIR REPRESENTATIVES**

The parties to this action and their representatives are as follows:

(a) The Plaintiff is Irving H. Picard, as trustee (“Trustee”) for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under SIPA substantively consolidated with the estate of Bernard L. Madoff. The Trustee is represented in this action by Baker & Hostetler LLP, 45 Rockefeller Plaza, New York, New York 10111, United States of America.

(b) The Defendants in this action are the Kingate Funds. The Kingate Funds are in liquidation proceedings and act through their joint liquidators, who are represented in this action by Quinn Emanuel Urquhart & Sullivan LLP, 51 Madison Avenue, New York, New York 10010, United States of America.

### **NATURE AND PURPOSE OF THE PROCEEDING AS ALLEGED BY THE TRUSTEE IN HIS FOURTH AMENDED COMPLAINT**

#### **The Proceeding**

This is an adversary proceeding commenced in this Court, in which the main underlying SIPA proceeding, No. 08-01789 (SMB) is pending.

By way of background, Bernard L. Madoff (“Madoff”), through the investment advisory business of BLMIS, conducted a decades-long Ponzi scheme of breathtaking scale. His fraud was sustained by infusions of money from around the globe. In particular, domestic and foreign investment vehicles, sometimes colloquially known as “feeder funds,” injected several billions of dollars into his scheme.

Included among these feeder funds were the Kingate Funds. Mr. Ceretti and Mr. Grosso formed an important part of Madoff’s *de facto* global sales force, marketing BLMIS to European investors. Since their inception, the Kingate Funds deposited a combined total of approximately \$1.7 billion with BLMIS, and over time withdrew nearly a billion dollars from BLMIS. The Trustee alleges that these withdrawn funds comprise customer property and constitute avoidable transfers under the United States Bankruptcy Code and other applicable law that the Trustee seeks to recover for equitable distribution.

### **Brook’s Connection to This Proceeding**

This Request seeks to obtain testimony and documents from Mr. Brook. The Trustee’s investigation under his statutory authority, including the transcripts of the Joint Liquidators for the Kingate Funds’ interviews of Mr. Ceretti and Mr. Grosso, the review of documents produced to the Trustee, and depositions taken by the Trustee in this proceeding establish that Mr. Brook has knowledge that is highly relevant to the Trustee’s claims in the FAC. Specifically, the Trustee anticipates that Mr. Brook will be able to provide further information in relation to the issues and allegations contained in paragraphs 107-10, 115, 118, 135-36, 142,-43 145, 200-04, 218, 234-37, 239-46, and 254-58 of the FAC, a copy of which is attached to this Request as Exhibit A.

PwC Bermuda acted as auditor for the Kingate Funds from approximately 1999-2009. Mr. Brook was a partner with PwC Bermuda. As part of PwC Bermuda’s role as auditor of the Kingate Funds, Mr. Brook had multiple conversations with Mr. Grosso, as well as Mr. Christopher

Wetherhill, a director of Kingate Global and KML, and other KML employees in Bermuda, regarding the audits of the Kingate Funds. Mr. Brook also visited Mr. Grosso at FIM's offices in London as part of the audit process.

The Trustee is continuing to collect evidence for use at trial to support his claims in this proceeding. Mr. Andrew Brook has knowledge that is highly relevant to the claims in this proceeding, and the Trustee has a need for the documents in Mr. Brook's possession identified below, to be produced to the Trustee.

### **REQUEST FOR JUDICIAL ASSISTANCE**

This Request includes a request for the examination under oath of and to obtain documents from Mr. Brook. As stated above, upon information, the Trustee believes Mr. Brook resides and is located in Bermuda.

#### **Request for Documentary Evidence from Mr. Brook**

It is hereby requested that Mr. Brook be ordered to make available for inspection and copying by the Trustee's legal representatives the following:

1. The "working papers and files, other materials, reports and work created, developed or performed by PwC during the course of the audit" of the Kingate Funds for the year ending December 31, 1999 as referenced in the February 2, 2000 engagement letter, a copy of which is attached hereto as Exhibit 1.
2. The "working papers and files, other materials, reports and work created, developed or performed by PwC during the course of the audit" of the Kingate Funds for the year ending December 31, 2000 as referenced in the December 14, 2000 engagement letter, a copy of which is attached hereto as Exhibit 2.
3. The "working papers and files, other materials, reports and work created, developed or performed by PwC during the course of the audit" of the Kingate Funds for the year ending

December 31, 2001 as referenced in the December 11, 2001 engagement letter, a copy of which is attached hereto as Exhibit 3.

4. The “working papers and files, other materials, reports and work created, developed or performed by PwC during the course of the audit” of the Kingate Funds for the year ending December 31, 2002 as referenced in the November 7, 2002 engagement letter, a copy of which is attached hereto as Exhibit 4.
5. The “working papers and files, other materials, reports and work created, developed or performed by PwC during the course of the audit” of the Kingate Funds for the year ending December 31, 2003 as referenced in the October 23, 2003 engagement letter, a copy of which is attached hereto as Exhibit 5.
6. The “working papers and files, other materials, reports and work created, developed or performed by PwC during the course of the audit” of the Kingate Funds for the year ending December 31, 2004 as referenced in the November 3, 2004 engagement letter, a copy of which is attached hereto as Exhibit 6.
7. The “working papers and files, other materials, reports and work created, developed or performed by PwC during the course of the audit” of the Kingate Funds for the year ending December 31, 2005 as referenced in the September 29, 2005 engagement letter, a copy of which is attached hereto as Exhibit 7.
8. The “working papers and files, other materials, reports and work created, developed or performed by PwC during the course of the audit” of the Kingate Funds for the year ending December 31, 2006 as referenced in the November 30, 2006 engagement letter, a copy of which is attached hereto as Exhibit 8.
9. The “working papers and files, other materials, reports and work created, developed or performed by PwC during the course of the audit” of the Kingate Funds for the year ending

December 31, 2007 as referenced in the November 6, 2007 engagement letter, a copy of which is attached hereto as Exhibit 9.

10. The “working papers and files, other materials, reports and work created, developed or performed by PwC during the course of the audit” of the Kingate Funds for the year ending December 31, 2008 as referenced in the October 30, 2008 engagement letter, a copy of which is attached hereto as Exhibit 10.
11. The minutes of the meeting held on 6 November 2003 between Mr. Watson-Brown, Mr. Brook, and Mr. Wetherhill, noted as attachment “Kingate Agenda C Wetherhill Nov 2003.doc” in the document attached hereto as Exhibit 11.
12. The minutes of the “update meeting” held on 16 February 2004, noted as attachment “Audit Meeting-16 Feb 2004.doc” in the document attached hereto as Exhibit 11.
13. The document referenced in Exhibit 11 as the attachment showing the “analytical review procedures performed.”
14. Documents responding to the request by PwC for further explanation of “calculations [received] from Hemisphere . . . as they are inconsistent with [PwC’s] numbers,” as referred to in the letter from Mr. Brook to Mr. Wetherhill dated February 15, 2002, a copy of which is attached hereto as Exhibit 12.
15. PwC’s notes and reports from its review of BLMIS on areas enumerated as 1-5, as referred to in a letter from Mr. Brook to Mr. Wetherhill dated November 7, 2002, a copy of which is attached hereto as Exhibit 13.
16. PwC’s notes from discussions with Mr. Wetherhill regarding “update[ing] [PwC’s] knowledge of the Funds’ control environment” and the performance of “procedures in the New York office of Bernard L. Madoff Investment Securities (“Madoff”) as the investment advisor, broker/dealer and custodian for the fund” as referred to in the letter from Mr. Brook

- to Mr. Wetherhill dated November 7, 2002, a copy of which is attached hereto as Exhibit 13.
17. PwC's notes from its "discussion with [PwC's] New York office" regarding the visit to Madoff in early December 2002, as referenced in the letter from Mr. Brook to Mr. Wetherhill dated November 7, 2002, a copy of which is attached hereto as Exhibit 13.
18. A copy of the notes taken by Mr. Brook and Mr. Watson Brown at a meeting among the same and Mr. Wetherhill, as set forth in a PwC memo dated February 18, 2003, a copy of which is attached hereto as Exhibit 14.
19. The "Audit Strategy Memo" or drafts of the same for the years ending 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2007 and 2008, in substantially similar form as the "Audit Strategy Memo" for the year ended December 31, 2006, a copy of which is attached hereto as Exhibit 15.
20. The notes relating to Mr. Brook's discussion with Mr. Wetherhill regarding facilitating a visit between PwC Bermuda and Madoff, as referenced in Exhibit 16.
21. The attachment to the email from Andrew Brook to Mark Hourigan dated October 19, 2004, a copy of which is attached hereto as Exhibit 17.

#### **Request for Testimonial Evidence and Question List for Mr. Brook**

The Trustee seeks testimonial evidence from Mr. Brook regarding the following topics:

1. PwC's audit procedures undertaken for the Kingate Funds.
2. The substance of any discussion between Mr. Brook and Mr. Ceretti, Mr. Grosso or Mr. Wetherhill regarding PwC's visit to Madoff in 2002 and 2004.
3. Communications between Mr. Brook and Mr. Ceretti or Mr. Grosso regarding Mr. Ceretti's and Mr. Grosso's role in relation to the Kingate Funds.
4. Communications between Mr. Brook and Mr. Ceretti or Mr. Grosso regarding PwC's annual audits of the Kingate Funds.
5. Communications between Mr. Brook and Mr. Christopher Wetherhill concerning PwC's annual audits of the Kingate Funds.
6. The substance of a meeting concerning the Kingate Funds that occurred in October



2002, at which Mr. Brook, Mr. Scott Watson-Brown, and Mr. Wetherhill were present.

7. The substance of a meeting concerning the Kingate Funds that occurred in March 2002, at which Mr. Brook and Mr. Grosso were present.
8. The substance of a meeting concerning the Kingate Funds that occurred in February 2003, at which Mr. Brook, Mr. Watson-Brown, and Mr. Wetherhill were present.
9. The substance of a meeting concerning the Kingate Funds that occurred in November 2004, at which Mr. Brook, Mr. Watson-Brown, and Mr. Wetherhill were present.
10. The substance of a meeting concerning the Kingate Funds that occurred in October 2004, at which Mr. Brook, Mr. Watson-Brown, and Mr. Wetherhill were present.
11. The substance of a meeting concerning the Kinate Funds that occurred in February 2008, at which Mr. Brook, Mr. Graham McDonald, and Mr. Wetherhill were present.
12. The processes PwC undertook to evaluate KML as the manager of the Kingate Funds.
13. The processes PwC undertook to evaluate FIM as consultant to the Kingate Funds.
14. The processes PwC undertook to evaluate BLMIS as the investment manager for, and custodian of investors' assets in, the Kingate Funds.
15. Mr. Brook's knowledge of Tremont Bermuda Limited as co-manager of Kingate Global and the process PwC undertook to evaluate Tremont Bermuda Limited in that capacity.
16. Mr. Brook's internal communications within PwC and/or PwC Bermuda regarding the Kingate Funds and BLMIS.

### **COSTS**

All fees and costs incurred in the execution of this Request shall be borne by Plaintiff.

**CONCLUSION**

This Court expresses its appreciation for this assistance and states that the courts of the United States are authorized by statute, section 1782 of Title 28 of the United States Code, to extend similar assistance to the tribunals of Bermuda, and shall be ready and willing to provide reciprocal assistance in a similar case when required.

The Court extends to the judicial authorities of Bermuda the assurances of the highest consideration.

Dated: \_\_\_\_\_  
New York, New York

\_\_\_\_\_  
The Honorable Stuart M. Bernstein  
United States Bankruptcy Judge

## **EXHIBIT A**

**Baker & Hostetler LLP**

45 Rockefeller Plaza  
New York, NY 10111  
Telephone: (212) 589-4200  
Facsimile: (212) 589-4201  
David J. Sheehan  
Geraldine E. Ponto  
Gonzalo S. Zeballos  
Michelle R. Usitalo

*Attorneys for Irving H. Picard, Trustee for the  
substantively consolidated SIPA Liquidation of  
Bernard L. Madoff Investment Securities LLC and the  
estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of  
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

FEDERICO CERETTI, CARLO GROSSO, KINGATE  
GLOBAL FUND, LTD., KINGATE  
EURO FUND, LTD., KINGATE MANAGEMENT

No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 09-1161 (SMB)

**FOURTH AMENDED COMPLAINT**

LIMITED, FIM ADVISERS LLP, FIM LIMITED, CITI HEDGE FUND SERVICES LIMITED, FIRST PENINSULA TRUSTEES LIMITED, INDIVIDUALLY AND AS TRUSTEE OF THE ASHBY TRUST, THE ASHBY TRUST, ASHBY INVESTMENT SERVICES LIMITED, ALPINE TRUSTEES LIMITED, INDIVIDUALLY AND AS TRUSTEE OF EL PRELA TRUST, PORT OF HERCULES TRUSTEES LIMITED, INDIVIDUALLY, AND AS TRUSTEE OF EL PRELA TRUST, EL PRELA TRUST, EL PRELA GROUP HOLDING SERVICES, ASHBY HOLDINGS SERVICES LIMITED, EL PRELA TRADING INVESTMENTS LIMITED, and HSBC BANK BERMUDA LIMITED,

Defendants.

Plaintiff Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.* (“SIPA”),<sup>1</sup> and the substantively consolidated estate of Bernard L. Madoff (“Madoff,” and with BLMIS, “Debtors”), by the Trustee’s undersigned counsel, for his Fourth Amended Complaint (“Complaint”) states:

## **I. NATURE OF PROCEEDING**

1. As is now well known, Madoff conducted a Ponzi scheme previously unparalleled in scale, scope, and duration. Madoff did not accomplish this alone. Madoff sustained his Ponzi scheme for decades with capital infusions from around the globe. Included among the complex web of interconnected people and financial institutions that ensured capital infusions to BLMIS were Federico Ceretti (“Ceretti”) and Carlo Grosso (“Grosso”) and their Madoff feeder funds,

<sup>1</sup> Hereinafter, applicable sections of SIPA shall be cited as SIPA § \_\_\_\_, and omit reference to title 15, United States Code.

Kingate Global Fund, Ltd. (“Kingate Global”) and Kingate Euro Fund, Ltd. (“Kingate Euro,” and with Kingate Global, the “Kingate Funds”).

2. In 1994, Ceretti and Grosso established Kingate Global. Ceretti and Grosso first sold shares in Kingate Global in March 1995, investing the subscription moneys exclusively with BLMIS. In 2000, Ceretti and Grosso established Kingate Euro, which sold subscriptions in Euros for investment with BLMIS.

3. Since their inception, the Kingate Funds deposited a combined total of approximately \$1.7 billion with BLMIS and over time withdrew nearly \$1 billion from BLMIS. The withdrawn funds were customer property and are avoidable transfers that the Trustee seeks to recover for equitable distribution.

4. In 1994, contemporaneously with the formation of Kingate Global, Ceretti and Grosso established Kingate Management Limited (“Kingate Management”), which the Kingate Funds appointed as manager of the Kingate Funds. Kingate Management collected over \$300 million in management fees as manager of the Kingate Funds.

5. The Kingate Funds and Kingate Management then appointed FIM Limited and later FIM Advisers LLP (“FIM Advisers,” and with FIM Limited, “FIM”), among other things, to advise and consult with Kingate Management concerning the Kingate Funds. FIM and Kingate Management, collectively referred to as the “Management Defendants,” are directly or beneficially owned and controlled by Ceretti and Grosso.

6. The Kingate Funds, Ceretti, Grosso, the Management Defendants, and Citi Hedge Fund Services Limited (“Citi Hedge”), as administrator of the Kingate Funds, received account statements, trade confirmations, and other sources of information clearly demonstrating that BLMIS’s performance resulted from impossible, highly suspect, and illegitimate “trades.”

7. Although the defendants are separate entities, they operated in unison to collectively profit from Madoff's Ponzi scheme knowing that the "returns" reported by BLMIS could not have resulted from legitimate securities trading. The interests of all defendants were aligned, with each defendant benefitting by increasing the Kingate Funds' assets under management solely for investment with BLMIS.

8. BLMIS made initial transfers to, or for the benefit of, the Kingate Funds of at least \$926,351,905, of which the Kingate Funds subsequently transferred hundreds of millions of dollars to the other defendants. The Trustee brings this action to avoid and recover the initial transfers from BLMIS to the Kingate Funds and the subsequent transfers received by the other defendants. Every dollar the defendants received directly or indirectly from BLMIS is customer property that must be returned to the estate for equitable distribution under SIPA.

## **II. JURISDICTION AND VENUE**

9. This is an adversary proceeding commenced in this Court, in which the main underlying SIPA proceeding, No. 08-01789 (SMB) (the "SIPA Proceeding"), is pending. The SIPA Proceeding was originally brought in the United States District Court for the Southern District of New York (the "District Court") as *Securities Exchange Commission v. Bernard L. Madoff Investment Securities LLC, et al.*, No. 08 CV 10791 (the "District Court Proceeding"), and has been referred to this Court. This Court has jurisdiction over this adversary proceeding under 28 U.S.C. § 1334(b) and (e)(1), and SIPA § 78eee(b)(2)(A) and (b)(4).

10. This is a core proceeding under 28 U.S.C. § 157(b)(2)(A), (B), (F), (H), and (O). The Trustee consents to the entry of final orders or judgment by this Court if it is determined that consent of the parties is required for this Court to enter final orders or judgments consistent with Article III of the U.S. Constitution.

11. Venue in this district is proper under 28 U.S.C. §§ 1391(b) and 1409.

12. This adversary proceeding is brought under SIPA §§ 78fff(b) and 78fff-2(c)(3), 11 U.S.C. §§ 105(a), 502(a) and (b), 544(b), 547, 548(a), 550(a), and 551,<sup>2</sup> the New York Fraudulent Conveyance Act (N.Y. Debt. & Cred. Law (“NYDCL”) §§ 270 *et seq.* (McKinney 2012)), and other applicable law.

### **III. BACKGROUND, THE TRUSTEE AND STANDING**

13. On December 11, 2008 (the “Filing Date”), Madoff was arrested by federal agents for criminal violations of federal securities laws, including securities fraud, investment adviser fraud, and mail and wire fraud. Contemporaneously, the Securities and Exchange Commission (“SEC”) commenced the District Court Proceeding, which is pending in the District Court. The SEC’s complaint alleges that Madoff and BLMIS engaged in fraud through the investment adviser activities of BLMIS.

14. On December 12, 2008, the Honorable Louis L. Stanton of the District Court entered an order that appointed Lee S. Richards as receiver for the assets of BLMIS.

15. On December 15, 2008, pursuant to SIPA § 78eee(a)(4)(A), the SEC consented to combining its action with an application by the Securities Investor Protection Corporation (“SIPC”). Thereafter, pursuant to SIPA § 78eee(a)(4)(B), SIPC filed an application in the District Court alleging, among other things, that BLMIS could not meet its obligations to securities customers as they came due and its customers needed the protections afforded by SIPA.

16. Also on December 15, 2008, Judge Stanton granted SIPC’s application and entered an order, that:

---

<sup>2</sup> Hereinafter, applicable sections of title 11, United States Code (the “Bankruptcy Code”), shall omit reference to title 11.



- a. removed the receiver and appointed the Trustee for the liquidation of the business of BLMIS under SIPA § 78eee(b)(3);
- b. appointed Baker & Hostetler LLP as counsel to the Trustee under SIPA § 78eee(b)(3); and
- c. removed the case to this Court pursuant to SIPA § 78eee(b)(4).

17. By orders dated December 23, 2008 and February 4, 2009, respectively, this Court approved the Trustee's bond and found that the Trustee was a disinterested person.

18. On April 13, 2009, an involuntary bankruptcy petition was filed against Madoff, and on June 9, 2009, this Court substantively consolidated the chapter 7 estate of Madoff into the SIPA Proceeding.

19. At a plea hearing on March 12, 2009 (the "Plea Hearing"), in the case captioned *United States v. Madoff*, Case No. 09-CR-213(DC), Madoff pleaded guilty to an 11-count criminal information filed against him by the United States Attorney for the Southern District of New York. At the Plea Hearing, Madoff admitted he "operated a Ponzi scheme through the investment advisory side of [BLMIS]." (Plea Hr'g Tr. at 23: 14-17.)

20. At a plea hearing on August 11, 2009, in the case captioned *United States v. DiPascali*, Case No. 09-CR-764 (RJS), Frank DiPascali, a former BLMIS employee, pleaded guilty to a ten-count criminal information charging him with participating in and conspiring to perpetuate the Ponzi scheme. DiPascali admitted that no purchases or sales of securities took place in connection with BLMIS customer accounts and that the Ponzi scheme had been ongoing at BLMIS since at least the 1980s.

21. At a plea hearing on November 21, 2011, in the case captioned *United States v. Kugel*, Case No. 10-CR-228 (LTS), David Kugel, a former BLMIS trader and manager, pleaded guilty to a six-count criminal information charging him with securities fraud, falsifying the

records of BLMIS, conspiracy, and bank fraud. Kugel admitted to helping create false, backdated trades in BLMIS customer accounts beginning in the early 1970s.

22. At a plea hearing on December 20, 2012, in the case captioned *United States v. Peter Madoff*, Case No. 10-CR-228 (LTS), Peter Madoff, Madoff's brother and BLMIS's chief compliance officer, pleaded guilty to a two-count criminal information charging him with falsifying records and conspiracy to commit securities fraud.

23. The Trustee is using his authority under SIPA and the Bankruptcy Code to avoid and recover payouts of fictitious profits and other transfers made by the Debtors to customers and others to the detriment of defrauded, innocent customers whose money was consumed by the Ponzi scheme. Absent that and other recovery actions, the Trustee cannot satisfy the customer claims described in subparagraphs (A) through (D) of SIPA § 78fff-2(c)(1).

#### **IV. THE PONZI SCHEME**

24. Madoff founded BLMIS in or about 1960 as a sole proprietorship, and on January 1, 2001, he formed it as a limited liability company under the laws of the State of New York. For most of its existence, BLMIS operated from its principal place of business at 885 Third Avenue, New York, New York. Madoff, as founder, sole owner, chairman, and chief executive officer, operated BLMIS with several family members and other employees, some of whom have pleaded guilty to helping Madoff carry out the fraudulent scheme. BLMIS had three business units: investment advisory (the "IA Business"), market making, and proprietary trading.

25. Beginning in the 1990s, Madoff outwardly ascribed the IA Business's consistent investment success to his "split-strike conversion" ("SSC") investment strategy. Madoff generally promised investors that their funds would be invested in a basket of common stocks within the Standard & Poor's 100 Index ("S&P 100 Index"), which is a collection of the 100 largest publicly traded companies, as determined by Standard & Poor's Index Committee. The

basket of stocks was designed to mimic the movement of the S&P 100 Index. Because Madoff claimed that he would carefully time purchases and sales to maximize value, customer funds would intermittently be out of the market. During those times, Madoff claimed that the funds were invested, directly or indirectly, in U.S. Treasury securities (“Treasury Bills”). There is no record of BLMIS clearing a single purchase or sale of securities in connection with the SSC strategy at the Depository Trust & Clearing Corporation, the clearing house for such transactions, or any other trading platform on which BLMIS could have traded securities. There are no other BLMIS records that demonstrate that BLMIS traded securities in connection with the SSC strategy.

26. The second part of the SSC strategy involved selling call options and buying put options on the S&P 100 Index; this is commonly referred to as a “collar.” Madoff purported to purchase and sell option contracts to control the downside risk of price changes in the basket of stocks correlated to the performance of the S&P 100 Index. All options relating to the companies within the S&P 100 Index, including options based upon the S&P 100 Index itself, clear through the Options Clearing Corporation (“OCC”). The OCC has no records showing that BLMIS’s IA Business cleared any trades in any exchange-listed options.

27. At the Plea Hearing, Madoff admitted that BLMIS purchased none of the securities it claimed to have purchased for IA Business customers.

28. Madoff operated the IA Business as a Ponzi scheme. The money received from IA Business customers was not set aside to buy securities or options, as Madoff claimed, but instead was used primarily to make distributions to, or payments for, other customers. The falsified monthly account statements made it appear that the IA Business accounts included substantial gains on customers’ principal investments. In reality, BLMIS had not invested its

customers' funds but paid customers based upon the inflated amounts reflected in their fake account statements as if those amounts were genuine. The money sent to BLMIS for investment was used to keep the fraudulent scheme operating and to enrich Madoff, his associates, and others, until December 2008, when requests for redemptions overwhelmed the flow of new investments and caused the inevitable collapse of the Ponzi scheme.

29. BLMIS did not register as an investment adviser with the SEC until August 2006. At that time, BLMIS filed with the SEC Form ADV (Uniform Application for Investment Adviser Registration) representing, among other things, that BLMIS had 23 customer accounts and assets under management of \$11.7 billion. Thereafter, BLMIS filed Form ADV annually with the SEC, the latest of which was filed in January 2008. It represented that BLMIS had 23 customer accounts with assets under management of \$17.1 billion. In fact, at that time BLMIS had over 4,900 active customer accounts with a purported value of approximately \$68 billion under management.

30. BLMIS's auditor was Friehling & Horowitz, CPA, P.C. ("Friehling & Horowitz"), a three-person accounting firm in Rockland County, New York. Of the three employees at the firm, one employee was an administrative assistant and one was a semi-retired accountant living in Florida. On or about November 3, 2009, David Friehling, the sole proprietor of Friehling & Horowitz, pleaded guilty to filing false audit reports for BLMIS and filing false tax returns for Madoff and others.

31. At all relevant times, BLMIS's liabilities were a minimum of millions, and at times billions, of dollars greater than its assets. BLMIS was insolvent because (i) its assets were worth less than the value of its liabilities; (ii) it could not meet its obligations as they came due; and (iii) at the time of the transfers alleged herein, BLMIS was left with insufficient capital.

## **V. DEFENDANTS**

### **A. Ceretti and Grosso**

32. Ceretti is an Italian national residing in the United Kingdom and maintains an address at 37 Queens Gate Gardens, London, SW7 5RR, United Kingdom.

33. Grosso is an Italian national residing in the United Kingdom and maintains an address at 22 Cathcart Road, London SW10 9NN, United Kingdom.

34. Between them, Ceretti and Grosso have over 60 years of experience in the securities industry.

35. In 1981, Grosso founded FIM Limited in London, and he remains its executive chairman.

36. In 2004, Ceretti and Grosso co-founded FIM Advisers. Grosso is FIM Advisers' executive chairman and chief investment officer. Ceretti is FIM Advisers' chief executive officer.

37. In 2005, at the direction of Ceretti and Grosso, FIM (USA) Inc. ("FIM (USA)") was incorporated under the laws of the State of Delaware, with a principal place of business in New York, New York.

### **B. The Kingate Funds**

38. Kingate Global is registered as an international business company organized under the laws of the British Virgin Islands with a registered address at Bison Court, P.O. Box 3460, Road Town, Tortola, British Virgin Islands.

39. According to BLMIS's records, on or about March 2, 1994, Kingate Global opened an account with BLMIS designated 1FN061 (the "Kingate Global Account"), and signed and delivered to BLMIS in New York a Customer Agreement, Option Agreement, and Trading

Authorization Limited to Purchases and Sales of Securities and Options on or about July 4, 1994. The Kingate Global Account was open when Madoff was arrested on December 11, 2008.

40. Kingate Euro is registered as an international business company organized under the laws of the British Virgin Islands with a registered address at Bison Court, P.O. Box 3460, Road Town, Tortola, British Virgin Islands.

41. According to BLMIS's records, on or about January 1, 1996, BLMIS opened an account designated 1FN086 as a sub-fund of Kingate Global to handle investments made in Deutsche Marks. In April 2000, Ceretti and Grosso created Kingate Euro, which assumed the rights to the sub-fund's account at BLMIS, to handle investments denominated in Euros. On or about April 27, 2000, Kingate Euro signed and delivered to BLMIS in New York, a Customer Agreement, Option Agreement, and Trading Authorization Limited to Purchases and Sales of Securities and Options.

42. Although the Kingate Funds were separate companies with separate boards of directors, they were part of an enterprise created by Ceretti and Grosso to invest with BLMIS. Shareholders of the Kingate Funds did not participate in the Kingate Funds' business affairs.

43. The Kingate Funds are in liquidation proceedings in the British Virgin Islands and Bermuda. By separate Orders, both dated June 4, 2009, the Eastern Caribbean Supreme Court in the High Court of Justice of the Virgin Islands ("BVI Court") appointed William R. Tacon and Richard F. Fogerty as joint liquidators of the Kingate Funds. On October 5, 2009, the Supreme Court of Bermuda ("Bermuda Court") appointed Mr. Tacon, Mr. Fogerty, and John McKenna as joint liquidators. Upon the resignation of Mr. Fogerty, on March 15, 2012, the BVI Court appointed Stuart C.E. Mackellar to act as a liquidator in Mr. Fogerty's place. On July 25, 2012,

the Bermuda Court appointed Mr. Mackellar to act as a liquidator of the Kingate Funds in place of Mr. Fogerty.

**C. The Management Defendants**

44. Kingate Management is a corporation organized on February 24, 1994, under the laws of Bermuda, with a registered address at 2 Reid Street, Hamilton HM11, Bermuda.

45. Ceretti and Grosso beneficially owned and controlled Kingate Management.

46. By an agreement dated in or around November 1994, Kingate Global appointed Kingate Management as its manager. By an agreement dated May 1, 2000, Kingate Euro appointed Kingate Management as its manager.

47. Each year the Kingate Funds prepared a report for shareholders titled “Information Memorandum,” containing information regarding the corporate structure, policies, and investment strategy of each of the Kingate Funds. The May 1, 2000 Information Memorandum described Kingate Management’s duties to include selecting the Kingate Funds’ sole investment adviser, *i.e.*, BLMIS, and arranging accounting and administrative services for the Kingate Funds.

48. Kingate Management is in a liquidation proceeding in Bermuda. On March 2, 2012, the Bermuda Court ordered that Kingate Management be wound up and appointed The Official Receiver of Bermuda Stephen Lowe, as liquidator.

49. FIM Limited is an asset management company incorporated by Grosso under the laws of the United Kingdom. It has a registered address at 62 Wilson Street, London EC2A 2BU, United Kingdom.

50. FIM Advisers is a limited liability partnership formed, controlled, and owned by Ceretti and Grosso. It was formed under the laws of the United Kingdom with a registered address at 62 Wilson Street, London EC2A 2BU, United Kingdom.





Trading also has an administrative office c/o Moore Stephens Services SAM, L'Estoril, Bloc C, 31 Avenue Princess Grace, MC 38000, Monaco.

57. **Alpine Trustees:** Alpine Trustees Ltd. ("Alpine Trustees") is a limited liability company incorporated under the laws of Liberia with a registered address at 80 Broad Street, Monrovia, Liberia. Alpine Trustees acted as trustee to the El Praela Trust from 1994 to 2006.

58. **Port of Hercules:** Port of Hercules Trustees Limited ("Port of Hercules") is a limited liability company incorporated under the laws of the British Virgin Islands with a registered address at Palm Grove House, P.O. Box 3186, Road Town, Tortola, British Virgin Islands. Its registered agent is Moore Stephens International Services (BVI) Limited. Port of Hercules has acted as trustee to El Praela Trust since 2006.

59. El Praela Trust was a 50% owner of Kingate Management. In or about January 2008, Ceretti created El Praela Trading and El Praela Group, both of which were wholly owned by El Praela Trust. On March 31, 2008, Ceretti transferred to El Praela Group all of the shares of Kingate Management held by El Praela Trust.

60. Since 2001, Kingate Management transferred at least \$147 million into one or more bank accounts held by each of El Praela Trust, El Praela Group, Alpine Trustees, Port of Hercules, and El Praela Trading (collectively, the "Ceretti Companies").

61. Ceretti created El Praela Trust, El Praela Group, and El Praela Trading to hold title to assets for the benefit of Ceretti and his family members. The Ceretti Companies have no interests adverse to the interests of Ceretti, and their interests are aligned.

62. Certain of the Ceretti Companies invested, directly or indirectly, at least \$19 million, in the Kingate Funds.

**E. Grosso's Companies**

63. **Ashby Trust:** Ashby Trust is a trust formed in March 1994 under the laws of the Island of Jersey. On May 17, 2011, the laws of the British Virgin Islands were designated as the governing law for Ashby Trust. Grosso and his family members are the beneficiaries of Ashby Trust.

64. **Ashby Holdings:** Ashby Holdings Services Ltd. ("Ashby Holdings") is a limited liability company incorporated under the laws of the British Virgin Islands with a registered address at Palm Grove House, P.O. Box 3186, Road Town, Tortola, British Virgin Islands. Its registered agent is Moore Stephens International Services (BVI) Limited. Ashby Holdings also has an administrative office c/o Moore Stephens Services SAM, L'Estoril, Bloc C, 31 Avenue Princess Grace, MC 38000, Monaco.

65. **Ashby Investment:** Ashby Investment Services Limited ("Ashby Investment") is a limited liability company incorporated under the laws of the British Virgin Islands with a registered address at Palm Grove House, P.O. Box 3186, Road Town, Tortola, British Virgin Islands. Its registered agent is Moore Stephens International Services (BVI) Limited. Ashby Investment also has an administrative office c/o Moore Stephens Services SAM, L'Estoril, Bloc C, 31 Avenue Princess Grace, MC 38000, Monaco.

66. **First Peninsula:** First Peninsula Trustees Ltd. ("First Peninsula") is a limited liability company incorporated under the laws of Liberia with a registered address of 80 Broad Street, Monrovia, Liberia. First Peninsula acts as trustee to Ashby Trust.

67. Ashby Trust was a 50% owner of Kingate Management. In or about November 2007, Grosso created Ashby Holdings and Ashby Investment, both of which were wholly owned by Ashby Trust. On March 31, 2008, Grosso transferred to Ashby Holdings all of the shares of Kingate Management held by the Ashby Trust. Upon written instructions from Grosso on

August 29, 1996, and March 24, 2000, to First Peninsula, it transferred certain shares of Kingate Management to Alpine Trustees.

68. Since 2001, Kingate Management transferred at least \$149 million into one or more bank accounts held by Ashby Trust, Ashby Holdings, Ashby Investment, and First Peninsula (collectively, the “Grosso Companies,” and with the Ceretti Companies, the “Ceretti and Grosso Companies”).

69. Grosso controls the business and investment decisions for the Grosso Companies. Certain of the Grosso Companies invested at least \$22 million, directly and indirectly, in the Kingate Funds. In October 2007, upon instructions from Grosso to Ashby Trust, it redeemed its entire holdings of Kingate Global.

70. The Grosso Companies have no interests adverse to the interests of Grosso, and their interests are aligned. Ceretti and Grosso authorized the flow of funds into and out of bank accounts opened in Monaco, Bermuda, Guernsey, Island of Jersey, and Switzerland by Port of Hercules, Alpine Trustees, and First Peninsula for Ashby Trust and El Praela Trust.

71. Ceretti and Grosso are beneficial owners of El Praela Trust, El Praela Group, El Praela Trading, Ashby Trust, Ashby Holdings, and Ashby Investment.

#### **F. The Administrator**

72. **Citi Hedge**: Citi Hedge, formerly known as BISYS Hedge Fund Services Limited (“BISYS”) and Hemisphere Management Limited (“Hemisphere”), is incorporated under the laws of Bermuda with a registered address at 9 Church Street, P.O. Box HM 951, Hamilton HM11, Bermuda.

73. In 1994, Kingate Global, Kingate Management, and Hemisphere entered into an agreement appointing Hemisphere the administrator of Kingate Global. On May 1, 2000,

Kingate Euro, Kingate Management, and Hemisphere entered into an agreement appointing Hemisphere the administrator of Kingate Euro.

74. Christopher Wetherhill (“Wetherhill”) founded Hemisphere and was its chief executive officer and president from 1981 to 2000. Wetherhill was a director of the Kingate Funds from their formation until 2008. Wetherhill was an officer of Hemisphere at the same time he was a director of the Kingate Funds.

75. On March 22, 2002, BISYS Group, Inc., BISYS’s parent, acquired Hemisphere and renamed it BISYS.

76. On June 1, 2007, the Kingate Funds and BISYS entered into agreements appointing BISYS as administrator for the Kingate Funds. In or around August 2007, Citi Hedge acquired BISYS and became administrator to the Kingate Funds.

77. The agreements among the Kingate Funds, Kingate Management, Hemisphere, BISYS, and Citi Hedge with respect to administration of the Kingate Funds are collectively referred to as the “Administration Agreements.”

78. Hemisphere and BISYS acted as registrar to each of the Kingate Funds pursuant to agreements effective May 1, 2000 and January 1, 2002. When Citi Hedge acquired BISYS in 2007, Citi Hedge became registrar of the Kingate Funds.

#### **G. The Custodian**

79. **Bank Bermuda:** HSBC Bank Bermuda Limited, f/k/a Bank Bermuda Limited (“Bank Bermuda”), is a banking institution with a registered address at 6 Front Street, Hamilton, Bermuda.

80. Kingate Global and Kingate Euro entered into custodian agreements with Bank Bermuda’s predecessor, the Bank of Bermuda Limited, on March 1, 1994 and May 1, 2000,

respectively, under which Bank Bermuda agreed to serve as custodian of the Kingate Funds' cash assets.

#### **H. This Court Has Personal Jurisdiction Over All Defendants**

81. This Court has personal jurisdiction over all defendants under Rule 302 of the New York Civil Practice Law and Rules (Mckinney 2003) ("N.Y. C.P.L.R."), and Rule 7004 of the Federal Rules of Bankruptcy Procedure because the defendants: (i) have intentionally taken full advantage of the rights, benefits, and privileges of conducting business and/or transactions in the State of New York; (ii) purposely availed themselves of the laws of the State of New York by undertaking significant commercial activities in New York and by receiving customer property to their benefit; (iii) derived significant revenue from New York; and (iv) maintained minimum contacts with New York in connection with the Trustee's claims. Defendants derived substantial revenue from direct or indirect investments with BLMIS in New York, and they expected or should have reasonably expected their activities would have consequences in New York.

82. Defendants knew and intended that investments in the Kingate Funds would be transferred to BLMIS in New York to be handled at Madoff's discretion through BLMIS. All defendants intended to, and did, profit from U.S.-based and N.Y.-based activities.

83. All defendants and/or their agents communicated directly with BLMIS in New York or with FIM (USA) in New York. Kingate Management acted as agent for the Kingate Funds. FIM acted as agent for Kingate Management in connection with Kingate Management's duties on behalf of the Kingate Funds. According to the Administration Agreements, Citi Hedge acted as agent for the Kingate Funds. Ceretti and Grosso, as beneficial owners and/or creators of the Management Defendants, the Kingate Funds, and certain of the Ceretti and Grosso Companies, acted as agents for all of those defendants.

84. FIM Advisers and FIM (USA) actively marketed FIM Advisers' services from the United States. FIM (USA) also performed research functions in New York on behalf and under the direction of FIM Advisers, FIM Limited, Kingate Management, and Ceretti and Grosso.

85. Employees of FIM (USA) promoted FIM in the United States by referring several of the Kingate Funds' shareholders to FIM. Certain employees of FIM Advisers were also employees of FIM (USA). According to the New York Department of State, FIM (USA) was terminated on June 17, 2009.

86. Ceretti and Grosso transacted business in New York as the agents for the Ceretti and Grosso Companies. Ceretti and Grosso authorized the transfer of funds to and from New York bank accounts for their personal benefit. For example, on or about March 31, 2008, Grosso authorized Ashby Holdings to transfer \$5 million to a bank account in New York. The Ceretti and Grosso Companies routinely received funds originating from New York and derived substantial revenue from such funds.

87. Acting on behalf of all defendants, Ceretti and Grosso met with Madoff in New York, including at BLMIS, on multiple dates.

88. The Kingate Funds used New York banks to deposit funds with BLMIS, transferring investor funds to, and obtaining moneys from, the BLMIS account at JPMorgan Chase & Co., Account #xxxxxxxxxxx703 (the "703 Account").

89. The Kingate Funds transacted and conducted business in New York by, among other things, investing all of the assets of the Kingate Funds with BLMIS in New York. Kingate Management paid fees to FIM Limited at FIM Limited's account with Brown Brothers Harriman & Co. in New York, New York.

90. On or about July 2, 2009, Kingate Global filed Customer Claim No. 15359 and Kingate Euro filed Customer Claim No. 15358 (collectively, the “Customer Claims”) with the Trustee.

91. Citi Hedge is an affiliate of Citigroup, Inc., and Citi Hedge Fund Services, Inc., a Delaware corporation registered to do business in New York with a registered address at 3435 Stelzer Road, Columbus, Ohio 43219.

92. Bank Bermuda used New York banks to transfer funds into BLMIS, transferring investor moneys into, and receiving moneys from, the 703 Account.

## **VI. CERETTI’S, GROSSO’S AND THE KINGATE FUNDS’ ROLE IN MADOFF’S FRAUD**

### **A. The Kingate Funds Enabled Madoff’s Expansion Into New Parts Of Europe**

93. The Kingate Funds were part of BLMIS’s expansion to European investors.

94. In the early 1990s, Sandra Manzke (“Manzke”), a hedge fund manager then affiliated with Tremont (Bermuda) Limited (“Tremont”), introduced Ceretti and Grosso to Madoff.

95. In 1993, Madoff informed fund managers, including Manzke, that going forward BLMIS would only accept institutional investors as customers for its IA Business. Manzke formed the Tremont Broad Market Fund Limited as a domestic investment fund, and Ceretti and Grosso joined with Manzke to create Kingate Global as a foreign investment fund.

96. The Kingate Funds were single-purpose funds created by Ceretti and Grosso to solicit investors for BLMIS primarily from continental Europe, principally in Italy and Switzerland. Ceretti and Grosso prepared, authorized, or otherwise participated in the presentation of the Kingate Funds’ public materials, such as solicitation materials, fact sheets and

other materials sent to shareholders to encourage investments in the Kingate Funds. Major international financial institutions such as HSBC, Grupo BBVA, Banque Privee Edmond de Rothschild, and Anglo Irish Bank invested with BLMIS through the Kingate Funds.

97. The Kingate Funds also offered other fund managers without access to BLMIS an opportunity to invest with BLMIS. For example, Reliance Management (BVI) Limited, the manager of Defender Limited,<sup>3</sup> a separate BLMIS feeder fund, first gained access to BLMIS for its flagship fund, Reliance Multi-Adviser Fund Limited, through Kingate Global.

**B. Ceretti's And Grosso's Close Personal And Business Relationships With Madoff Provided Insights Into Madoff's Fraudulent IA Business**

98. Ceretti and Grosso were part of Madoff's inner circle and had direct access to him. Madoff publicly acknowledged as much, telling one potential investor that he did not meet with investors, and the investor should meet with Grosso to learn about investment with BLMIS.

99. Grosso met with Madoff in New York or London at least two times a year. During those meetings, and the frequent telephone conversations that occurred in between, Grosso and Madoff discussed various matters, including the performance of BLMIS and the Kingate Funds.

100. In 2001, at Madoff's invitation, Grosso met with Madoff and DiPascali at BLMIS's office. The meeting included time spent on the 17<sup>th</sup> floor. The 17<sup>th</sup> floor was off limits to all but a few BLMIS employees, select third parties, and Madoff family members. The computers on the 17<sup>th</sup> floor were antiquated IBM AS 400 computers not connected to the internet or even BLMIS's internal network. Yet a handful of employees were purportedly executing

---

<sup>3</sup>The Trustee filed a separate action in the Bankruptcy Court against Defender Limited in Adversary Proceeding No. 10-05229 (Bankr. S.D.N.Y. 2010).



billions of dollars of trades on a monthly, and sometimes daily, basis with such technology.

Grosso saw that Madoff's IA Business operated from this space.

101. Besides in-person meetings, Ceretti, Grosso, and/or FIM employees participated in no fewer than 286 telephone calls to BLMIS from 2004 to 2008. Grosso was in close contact with Madoff until the last days before Madoff confessed, speaking with Madoff at length on December 2, 2008.

102. Ceretti's and Grosso's relationship with Madoff also included various social engagements, such as dinners in London accompanied by their spouses.

103. Ceretti and Grosso had close relationships not only with Madoff, but with other members of Madoff's inner circle. For example, in addition to the 286 phone calls to BLMIS, between 2005 and 2008, Grosso exchanged 225 phone calls with Jonathan Greenberg of Cohmad Securities Corp., an entity co-owned by Madoff that referred investors to BLMIS. Ceretti also communicated with key feeder fund managers in Madoff's circle. For example, in January 2005, Ceretti communicated with Andrés Piedrahita of Fairfield Sentry Limited, a separate BLMIS feeder fund, concerning Credit Suisse's counseling its clients away from Madoff funds because of risk concerns.

## **VII. THE KINGATE FUNDS' MULTI-LAYER MANAGEMENT STRUCTURE**

104. When Ceretti and Grosso established the Kingate Funds, FIM Limited already owned and managed several well-established investment funds. Instead of using one of FIM Limited's existing investment funds to invest with BLMIS, Ceretti and Grosso created the Kingate Funds. Instead of FIM Limited directly managing the Kingate Funds, Ceretti and Grosso created a new management company, Kingate Management.

105. Kingate Management never had over five employees.

106. On or about March 1, 1995, Kingate Management and Tremont executed a co-manager agreement with Kingate Global. Under that agreement, Kingate Management and Tremont were obligated to evaluate and monitor BLMIS, arrange accounting and administrative services, and provide all other necessary management services to Kingate Global.

107. The Kingate Funds did not charge performance fees. Shareholders in the Kingate Funds were charged a management fee of 1.5% of the Kingate Funds' net asset value, and that fee was then split between co-managers, Kingate Management and Tremont. The Kingate Funds paid Kingate Management a fee of 1% of the assets Kingate Management introduced to the Kingate Funds, and Tremont a 0.5% fee on those same assets. If Tremont introduced the assets to the Kingate Funds, it received the 1% fee and Kingate Management received the 0.5% fee.

108. Figure 1 below shows aggregate management fees in the amount of \$323,767,406 paid by the Kingate Funds from 1997 to 2007:

**Figure 1**

<b>Year</b>	<b>Paid by Kingate Global (USD)</b>	<b>Paid by Kingate Euro (USD)</b>
1997	3,187,062	276,643
1998	7,905,281	1,249,205
1999	13,114,676	2,646,787
2000	17,180,724	2,531,431
2001	22,646,088	4,614,543
2002	25,656,645	5,787,576
2003	28,495,194	7,698,704
2004	31,665,162	9,123,483
2005	34,017,453	10,463,664
2006	34,408,746	9,903,986
2007	38,783,479	12,410,873
<b>Total</b>	<b>257,060,510</b>	<b>66,706,896</b>

109. Figure 2 below reflects additional management fees amounting to \$52,284,724, paid by the Kingate Funds:



114. On or around January 1, 2006, Kingate Management executed another management agreement with Kingate Global designating Kingate Management as the sole manager. All co-manager agreements and management agreements between Kingate Management and the Kingate Funds are collectively referred to as the “Management Agreements.”

115. Kingate Management represented that it would review “the activity of the investment adviser to ensure that it complies with the Funds’ investment guidelines and also [is] undertaking all actions that might be necessary in the furtherance of the investment objectives of the funds.”

116. The Information Memorandum provided to potential shareholders for each of the Kingate Funds stated that Kingate Management “evaluates and monitors the Investment Advisor [BLMIS] and, in general, provides all necessary management services to the Fund.”

117. According to the 2006 Kingate Global Information Memorandum, FIM Advisers “render[ed] consulting advice to [Kingate Management] with respect to certain aspects of the Fund’s operational, administrative, marketing, accounting and legal matters.”

118. The Management Agreements between Kingate Management and the Kingate Funds allowed Kingate Management to delegate its duties to FIM, except for Kingate Management’s continuing obligation to verify the competence of FIM, as the delegate performing Kingate Management’s duties.

**VIII. CERETTI, GROSSO, THE KINGATE FUNDS, THE MANAGEMENT DEFENDANTS, AND CITI HEDGE KNOWINGLY FACILITATED MADOFF'S FRAUDULENT IA BUSINESS**

**A. Efforts To Shield Madoff From Outside Scrutiny**

119. Even though many of the Kingate Funds' shareholders may have known the Kingate Funds were exclusively invested with BLMIS, neither of the Kingate Funds disclosed BLMIS or Madoff by name in the annual Information Memoranda sent to potential shareholders.

120. When asked by an investor if arrangements could be made for an introduction to Madoff, Ceretti responded that was a "sticky issue." In an email dated November 21, 2008, to FIM Advisers' employee Alessandro Albrighi, with a copy to Ceretti, Grosso responded to concerns raised by an analyst regarding Madoff's lack of transparency by explaining one of the Kingate Funds' roles: "[i]t is true that investors do not have direct access to Madoff, who tolerates structures like Kingate to act as buffers between Madoff and investors." FIM's investment committee considered a fund manager's persistent refusal to meet investors as a sign of a high probability of fraud. On at least one occasion, this circumstance prompted FIM to recommend liquidating the holdings with the fund manager.

121. In July 2006, BISYS noted a discrepancy in the net asset valuations of the Kingate Funds. Shazieh Salahuddin at Kingate Management telephoned DiPascali for an explanation. Salahuddin found DiPascali's explanation unsatisfactory and expressed her concern to Ceretti and Grosso. Rather than address Salahuddin's concern, Ceretti instructed her that all concerns should be raised with Kingate Management. Wetherhill did not resolve the discrepancy but reassured Ceretti and Grosso by indicating Wetherhill had spoken with DiPascali.

**B. FIM's High Due Diligence Standards**

122. FIM promoted itself as having a high standard of due diligence. FIM Advisers' website described it as "a leading alternative investment company . . . [with] more than twenty

five years of experience in asset management, with almost fifteen years of advising and managing portfolios of hedge funds.” The website further stated that “FIM’s investment model is based upon a disciplined and structured approach to research, portfolio management, and risk management. The model gives FIM a clear edge in the sourcing of new managers, in conducting in-depth due-diligence, and in structuring portfolios.”

123. FIM undertook extensive due diligence by regular reviews of markets, strategies, managers, and peer groups. FIM required its research specialists to conduct in-depth analysis into every aspect of every potential investment. FIM subjected each portfolio to continuous analysis to ensure that all risk factors were identified and controlled, and that all internal and external management portfolio policies were followed. Risk management was integral to all of FIM’s procedures to ensure “that the manager remains within his own investment limits, and that the fund is being managed according to its stated objective, without developing unexpected risk exposures or strategy drift.”

124. FIM employed what it referred to as “four limbs” of due diligence: qualitative, legal, quantitative, and operational, with each limb having a dedicated team. Its operational and legal due diligence abilities included monitoring “the effectiveness of the systems and procedures used to value the investment portfolio, the independence of the pricing of the portfolio, the effectiveness of the reconciliations performed” and the prime broker arrangement with the fund. Its qualitative and quantitative analysis group monitored the risk of both the portfolio and the individual funds within the portfolio. FIM’s portfolio management group monitored financial information on a weekly basis and compiled it in a database.

125. Under FIM’s standard procedures and using a FIM-created template, each due diligence team had to create a report for every fund in its respective areas of expertise. Those

four reports would then be combined to create a single report, usually 45-50 pages long that would ultimately be presented to the investment committee. FIM spreadsheets applied a scoring system for each of the various “limbs” of due diligence to assist the FIM analysts in evaluating each fund. FIM would not invest in a fund until it completed those due diligence procedures.

126. If a FIM analyst had a concern with an investment, the issue was discussed and more closely monitored, typically with weekly or bi-weekly contact with the fund manager. If a concern persisted for three months, the investment committee’s policy was to redeem the investment.

127. In an August 2007 report, FIM recommended liquidating an investment that its analysts described as “too good to be true” and had “a limited downside” that made them feel “uneasy.” FIM records show that an investment adviser with lack of transparency, lack of independent oversight, and operational issues, and an investment result with low correlation with peer funds were causes for concern. Those characteristics also were present in BLMIS.

**C. The Defendants Knew That FIM’s High Due Diligence Standards Were Not Applied To BLMIS And The Kingate Funds**

128. FIM never created a “four limb” due diligence report for the Kingate Funds.

129. There were no substantive discussions of the Kingate Funds or BLMIS at FIM’s investment committee meetings or monthly strategy meetings.

130. FIM’s due diligence included reporting on fund style, performance, operations, returns, and relevant research for each active position held by its investment funds. A March 2008 FIM Long-Invest report on 31 holdings, including Kingate Global, had detailed information on only 30 holdings; Kingate Global’s page is blank.

131. In March 2008, an investor emailed Kingate Management requesting a due diligence questionnaire, presentation material, and monthly performance and exposure data.

Ceretti and Grosso were the point of contact for questions relating to the business of the Kingate Funds and/or BLMIS's portfolio activity. Salahuddin forwarded the email to Grosso, Ceretti, and Wetherhill, noting that Kingate Management does not have "half the things" requested, such as a standard due diligence questionnaire.

132. In an email to an investor, Grosso acknowledged that "the Kingate Fund . . . has a somewhat unusual structure, and that as a consequence, there are a number of operational D[ue] D[iligence] points that may not be answered to your total satisfaction." An email sent by Grosso in November 2008 to FIM's Head of Operational Due Diligence, Eric Lazear ("Lazear"), acknowledged "[w]e have never done much [due diligence on Kingate], as it will be impossible to go inside Madoff to do a proper D[ue] D[iligence]."

133. After breaking news of Madoff's fraud, Lazear wrote to Grosso:

I know we have to do what is right for FIM, but we need to be cognizant of how this portrays our (FIM) process. [Kingate] is not a fund that went through our normal diligence process and I think it should not be depicted as if it had. We all worked hard to build our process to be the best in the industry, which I think it is, and I do not want it to get out there that one slipped past us when it did not.

134. In a December 12, 2008 email, Lazear stated that he believed BLMIS was a "scam" and that he had emailed Grosso "all the details" to support his beliefs *before* Madoff confessed. He recounted telling Grosso that if Grosso did not own FIM and the Kingate Funds, Lazear would have vetoed any investment with BLMIS.

**D. Ceretti, Grosso, The Kingate Funds, And The Management Defendants Knew That A Proper Audit Of The Kingate Funds By PricewaterhouseCoopers Would Expose Major Badges Of Fraud At BLMIS**

135. Ceretti, Grosso, the Kingate Funds, and the Management Defendants knew as early as 2000 that PricewaterhouseCoopers ("PwC"), the Kingate Funds' auditor, relied solely on reports from Madoff's auditor and did not independently verify any information. Grosso knew



that PwC only checked “the testing at Madoff” against the Kingate Funds’ records (also provided by BLMIS).

136. In a February 2008 email, Grosso conceded to Wetherhill that it “does look as though the auditors have not looked at all into the matter of cash and cash movements [sic] controls. Several questions have not been addressed . . . .” In a separate February 2008 email to Wetherhill, Grosso expressed his concern that PwC might actually “start to ask all sort [sic] of questions next time they visit Madoff.”

**E. Ceretti, Grosso, And FIM Attributed BLMIS’s Remarkably Consistent Returns To Illegal “Front Running”**

137. In 2001, an investment industry analyst published a newsletter that called into question the legitimacy of BLMIS’s SSC strategy. The May 2001 MAR/Hedge newsletter titled “Madoff Tops Charts; Skeptics Ask How” stated that experts were bewildered by Madoff’s unsurpassed ability to achieve consistent returns. The article observed that “others who use or used the strategy are known to have had nowhere near the same degree of success.”

138. Defendants’ response was a “question and answer” document prepared by Grosso for FIM employees marked “INTERNAL NOTE – NOT FOR DISTRIBUTION.” The document scripted answers to potential questions from shareholders about the “red flags” of fraud at BLMIS, including:

- (i) “How can there be such a relative complete lack of volatility in reported monthly returns?”
- (ii) “How can Madoff have the ability to time the market and to turn to cash before market conditions become negative?”
- (iii) “How can Madoff have the ability to buy and sell stocks without noticeably affecting the market?”
- (iv) “Why has no-one been able to duplicate similar results?”

(v) “How come other Wall Street firms have not become aware of the strategy and traded against it?”

(vi) “Why is Madoff willing to earn commissions on trades, but not set up a separate asset management division to offer hedge funds directly to investors?” and

(vii) “Why doesn’t Madoff borrow money and manage funds on a proprietary basis?”

139. In response to the question “[h]ow can Madoff have the ability to time the market and turn to cash before market conditions become negative,” Grosso responded by referring to illegal front running: “Madoff benefits from unique market intelligence derived from the massive amount of order flow it handles daily.”

140. Similarly, Grosso answered the question “[w]hy has no one been able to duplicate similar results,” by alluding to illegal front running: “[B]eing such a large market maker (Madoff currently accounts for about 15% of all equity transactions in the United States), he sees the flows.”

141. Ceretti, Grosso, the Management Defendants and the Kingate Funds knew the SSC strategy could not achieve the results reported in the Kingate Funds’ account statements.

**F. Citi Hedge’s Calculation Of The Kingate Funds’ Net Asset Value Could Not Be Substantiated**

142. As administrator for the Kingate Funds, Citi Hedge:

[D]etermines the net asset value of the Fund’s Portfolio assets attributable to the USD Shares as of the close of business on the last Business Day of each calendar month. . .[and] verifies the prices attributed to the securities held by the USD Shares of the [Kingate Funds] by reference to pricing sources independent of . . .[BLMIS].

143. In addition to calculating the net asset value (“NAV”), Citi Hedge also performed day-to-day administrative services for the Kingate Funds, including preparing and distributing monthly reports to shareholders, processing new shareholder subscriptions, maintaining the

Kingate Funds' corporate records, disbursing dividends, and paying legal fees, accounting fees, and salaries.

144. In 2000, Grosso asked Tom Healy of Hemisphere, Citi Hedge's predecessor, to amend the Kingate Funds' offering memorandum to state that "Net asset valuations . . . are determined by the Administrator based on independent verification regarding the value of the Fund's portfolio assets . . . as of the close of business on the last Business Day of each calendar month." Healy confirmed that "[s]o far this year we have been checking all the trade tickets received from Madoff to the monthly statement and doing a 100% verification of the pricing. Therefore, the proposed statement in the prospectus properly reflects what is actually happening."

145. Citi Hedge and its predecessors received at least \$5,902,037 in fees, based on the Kingate Funds' NAV, as shown in Figure 3 below:

**Figure 3**

<b>Year</b>	<b>Paid by Kingate Global (USD)</b>	<b>Paid by Kingate Euro (USD)</b>
1997	116,800	22,326
1998	154,382	53,600
1999	231,573	72,322
2000	232,478	55,556
2001	445,988	80,693
2002	502,056	106,135
2003	536,752	135,887
2004	576,603	155,387
2005	605,005	174,290
2006	611,802	165,317
2007	666,795	200,290
<b>Total</b>	<b>4,680,234</b>	<b>1,221,803</b>

**IX. CERETTI, GROSSO, THE KINGATE FUNDS, THE MANAGEMENT DEFENDANTS, AND CITI HEDGE KNEW OF IMPOSSIBLE TRADING ACTIVITY AT BLMIS**

**A. The Kingate Funds' Account Statements And Trade Confirmations Reflected Myriad Trading Impossibilities And Other Badges Of Fraud**

146. For over a decade, the Kingate Funds and the Management Defendants received purported trade confirmations and account statements from BLMIS. Those statements and confirmations revealed purported account activity that included trades executed under the SSC strategy that were both impossible and inconsistent with the strategy.

**1. Impossibility: The Kingate Funds' Returns Were Impossibly Consistent Over Many Years**

147. Ceretti, Grosso, the Kingate Funds, and the Management Defendants touted the Kingate Funds' steady performance notwithstanding the volatility in the markets—including the S&P 100 Index, the very market the SSC strategy purportedly mimicked.

148. In monitoring the Kingate Funds, FIM compared the Kingate Funds' performance against Standard & Poor's 500 Index ("S&P 500 Index"), which is highly correlated to the performance of the S&P 100 Index. FIM also tracked the Kingate Funds' results against the results of other Madoff feeder funds, such as Fairfield Sentry and Tremont—which Ceretti and Grosso knew were mostly invested with BLMIS.

149. The Kingate Funds' implausibly consistent, positive rates of return during events that caused financial markets—including the S&P 100 Index—to plunge, such as: (1) the burst of the "dot com" bubble in 2000; (2) the 2000-2002 bear market, including the disastrous market impact of the attacks of September 11, 2001; and (3) the recession and housing crisis of 2008.

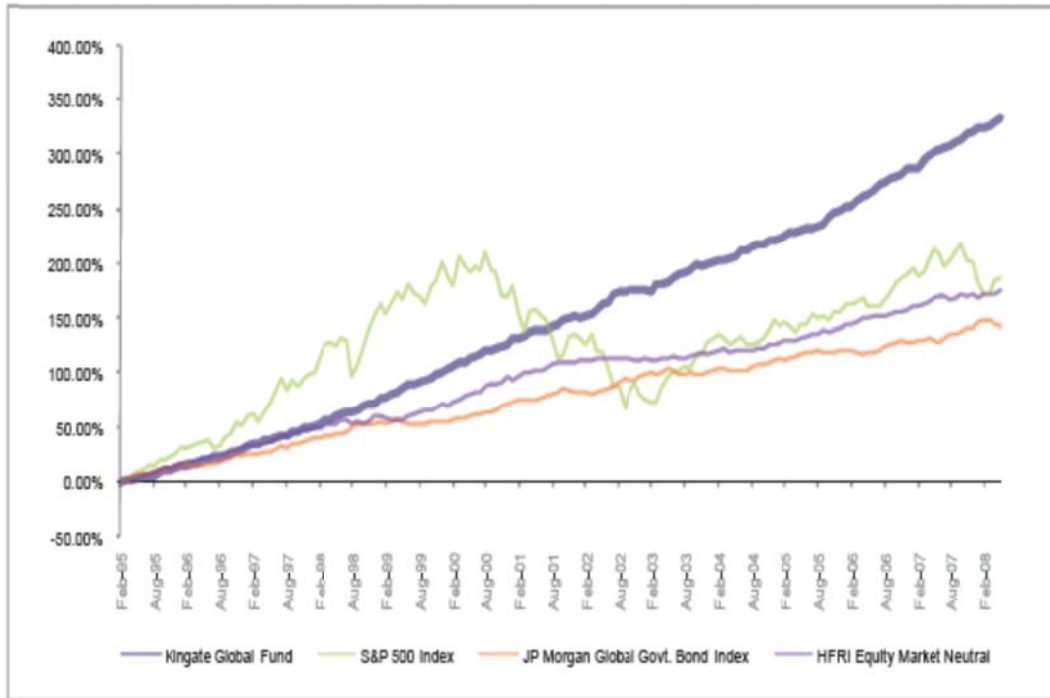
150. From April 1999 until November 2008, the Kingate Funds averaged annual returns of approximately 12.4%. During that same 116-month period, the S&P 100 Index experienced



153. The May 2008 fact sheet that the Kingate Funds sent monthly to shareholders compared their returns to that of other indices, including the S&P 500, and reported their findings in a chart replicated below:

**Figure 5**

## Cumulative Performance – March 1995 – May 2008



154. Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge knew that if the SSC strategy were based on the S&P 100 Index, it could not produce these results.

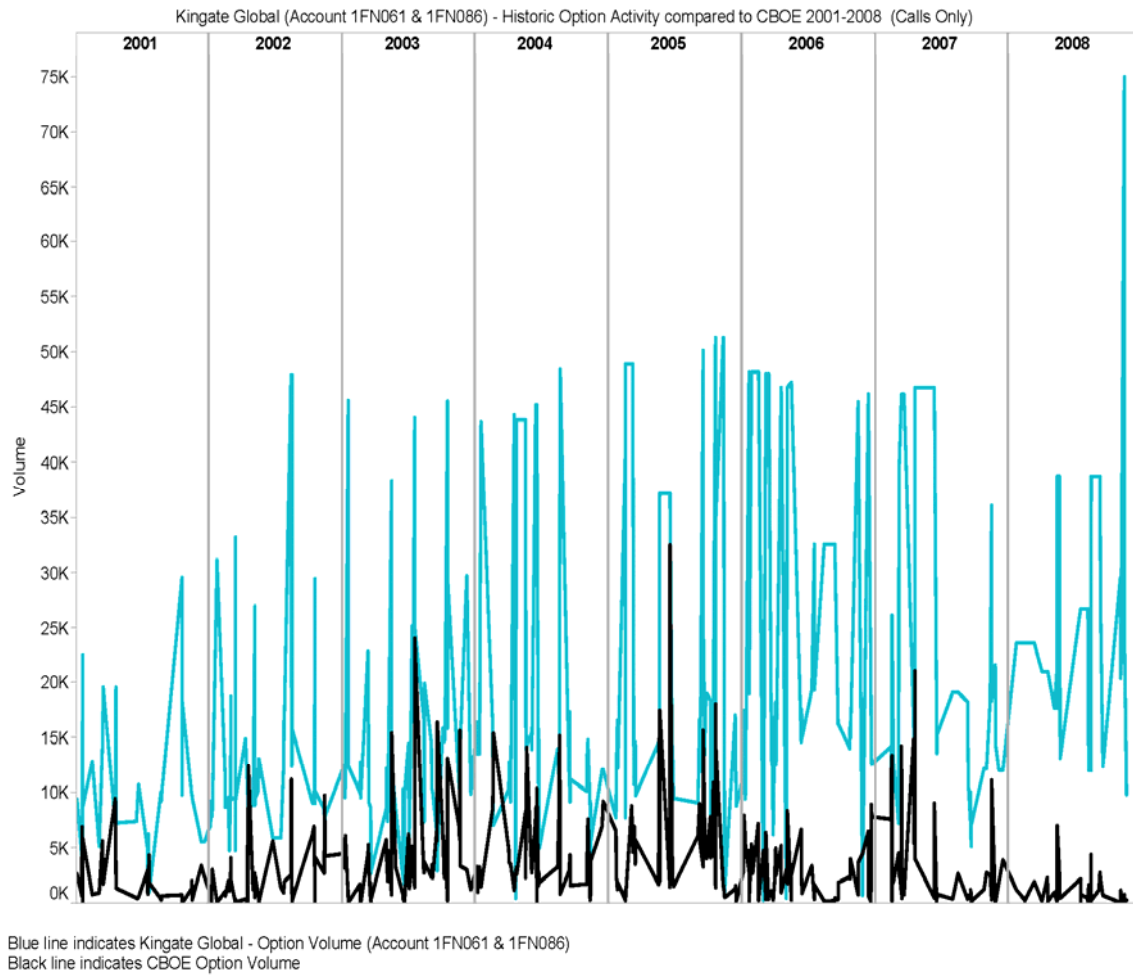
## 2. Impossibility: The Kingate Funds' BLMIS Account Statements Reflected Impossible Options Volume Trading

155. According to the BLMIS account statements and trade confirmations reviewed by Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge, BLMIS was transacting millions of put and call options contracts in the S&P 100 Index ("OEX options"). Based on available information, from 1998 through November 2008, the options trading volume that BLMIS reported for the Kingate Funds' accounts alone exceeded the total number of OEX options traded on the Chicago Board Options Exchange ("CBOE"), for that contract on that day,





**Figure 7**



157. On June 15, 2001, for OEX call options with a July expiration and a strike price of 630, the entire market volume for the CBOE was 490. On behalf of Kingate Global alone, BLMIS purportedly sold 6,271 OEX call options, which was nearly 13 times the volume traded for the entire market. On the same day, for OEX put options with a July expiration and a strike price of 624, the entire market volume for the CBOE was 1,149. On behalf of Kingate Global alone, BLMIS purportedly purchased 6,271 OEX put options.

158. Similar impossibilities are evidenced by looking at the put option volume purportedly traded for the Kingate Funds compared to the CBOE. The graph below illustrates the put options purportedly traded for the Kingate Funds in 2007 and 2008, compared to the volume traded of the CBOE:





160. On January 16, 2004, BLMIS purportedly purchased 9,088 OEX put options (with a February expiration and a strike price of 560) for Kingate Euro, when the total volume traded on the CBOE for those OEX put options for that day was 2,324. Also on that day, BLMIS purportedly sold 9,088 OEX call options (with a February expiration and a strike price of 570) for Kingate Euro, when the total volume traded on the CBOE for those OEX call options for that day was 1,515.

161. The occurrence of an OEX option trading at more than 50% of the total volume traded on the CBOE would be an aberration. Yet, from 1998 to 2008, there were at least 1,162 options trades exceeding the entire volume for comparable options traded on the CBOE in the Kingate Funds' accounts alone. When verifying the Kingate Funds' purported trading activity, Ceretti, Grosso, the Management Defendants, the Kingate Funds and Citi Hedge could not believe that it was possible to trade above the market volume for any security even once.

162. Exchange-traded securities, including options traded on the CBOE, have a unique identifier known as a "CUSIP" number, which allows traders to quickly access electronic information regarding a transaction. Options traded over the counter ("OTC") are not assigned a CUSIP number. Despite that fundamental difference, and notwithstanding Madoff's claim that the trades were private OTC transactions, the BLMIS trade confirmations reviewed and verified by Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge all included a CUSIP number indicating that the options were traded on the CBOE. Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge knew that BLMIS was not trading in the OTC market.

### **3. Impossibility: The Volume Of BLMIS's Reported Equity Trades**

163. In January 2000, Ceretti had information that BLMIS's assets under management were estimated at \$10 billion. Ceretti, Grosso, the Kingate Funds, and the Management

Defendants knew, therefore, that the Kingate Funds' investments with BLMIS would comprise at least 12.7% of Madoff's total assets.

164. In August 2006, when BLMIS registered as an investment adviser, it represented that it had approximately \$11.7 billion of assets under management as of the end of July 2006. BLMIS stated that it managed \$13.2 billion as of the end of 2006. The Kingate Funds' account statements from BLMIS reported balances of approximately \$2.8 billion as of July 2006, and \$3.0 billion as of December 2006. Based on the reported \$13.2 billion in assets under management, Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge knew that as of July 2006 and year-end 2006, the Kingate Funds comprised no more than 24.4% and 22.7%, respectively, of BLMIS's assets under management.

165. Because BLMIS purported to execute the SSC strategy in block trades and then allocate the shares or options across all of its accounts, Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge knew that the aggregate volume of trades purportedly executed by BLMIS was over four times the volume BLMIS claimed to have traded for the Kingate Funds.

166. The Kingate Funds' account statements, reviewed and verified by Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge, indicated that from 1998 through 2008, at least 237 times, BLMIS's purported individual stock trades for the Kingate Funds purportedly exceeded 10% of a stock's trading on the entire composite tape, which includes all listed and unlisted market volumes. That trading result is highly improbable, if not impossible.

167. On September 22, 2006, BLMIS purportedly traded for the Kingate Funds 618,792 shares of Wells Fargo & Company (WFC), comprising 17.4% of the total shares traded

on the composite tape. With the Kingate Funds accounting for approximately 24% of the reported assets that BLMIS purportedly was trading, Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge thus knew that BLMIS was purportedly trading over 70% of the shares of WFC traded that day. That trading result is highly improbable, if not impossible.

168. Any trade comprising 50% of the market of any one S&P 100 Index equity in one day is highly improbable, if not impossible. Ceretti, Grosso, the Kingate Funds, the Management Defendants and Citi Hedge reviewed and verified at least five separate transactions between 2006 and 2008 where BLMIS traded over 50% of the shares for an equity on the S&P 100 Index.

169. Trading volumes at the levels reported by BLMIS would have moved the price of that stock significantly. No such movement was apparent, because no trades were ever made. The opening price for WFC on September 22, 2006, was \$36.28. BLMIS purportedly sold over 2.5 million shares of WFC that day for a weighted average price of \$36.22. The closing price for those shares was \$36.01. The price of that stock was unaffected by BLMIS's purported trades. Despite purportedly trading over 70% of the shares throughout the day, BLMIS was still able to sell at a price above the midpoint.

#### **4. Impossibility: BLMIS Purported To Sell Equities and Options Outside The Daily Reported Price Ranges**

170. In an April 2010 meeting with the Kingate Funds' liquidators, Grosso explained that FIM would conduct an extensive analysis of the Kingate portfolio on a monthly basis, which included comparing the prices of the trades with the range of prices of the day on which the trades took place. Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi

Hedge also reviewed the BLMIS trade confirmations monthly. The trade confirmations showed the prices for every purchase and sale of stocks and options.

171. At the end of each month, Kingate Management received the BLMIS account statements. Kingate Management then prepared spreadsheets detailing the month's trading activity and identifying equities, options, Treasury Bills, and dividends. Kingate Management forwarded those spreadsheets to FIM.

172. Those spreadsheets identified whether BLMIS trades were "within range," *i.e.*, whether each trade fell within the daily low and high prices for the stock on that day.

173. BLMIS purported to make at least 281 "out of range" equity and options trades for the Kingate Funds from 1998 to 2008. In at least 281 instances, the pricing "verified" by Citi Hedge and the Management Defendants for a particular security was outside the range of prices at which that security traded on that particular day.

174. Account statements for October 2003 reported purchases of 984,137 shares of Intel Corporation (INTC) for Kingate Global and 240,240 shares for Kingate Euro, with a settlement date of October 7, 2003. BLMIS trade confirmations indicated that those shares were purchased on October 2, 2003 for \$27.59 per share. However, the price for INTC on October 2, 2003 ranged from a low of \$28.41 to a high of \$28.95. Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge knew from the Kingate Funds' own statements, therefore, that Madoff was lying—he could not have purchased shares at a lower price than the lowest price for the day. If the Kingate Funds had purchased over 1.2 million shares of INTC on that date, the range between the high and low would have been significantly greater than the \$0.54 difference between \$28.41 and \$28.95, because \$27.59 is \$0.82 lower than the low for that day.



175. The Kingate Funds' account statements for December 2006 reported sales of 233,281 shares of Merck (MRK) for Kingate Global, and 60,449 shares of MRK for Kingate Euro, with a settlement date of December 28, 2006. The Kingate Funds' trade confirmations indicated that those shares were sold on December 22, 2006 for \$44.61. On December 22, 2006, shares of MRK traded at a high of \$43.42 and a low of \$42.78.

176. BLMIS reported at least 836 trades of Treasury Bills outside the daily price range by at least 1 basis point, and at least 144 trades outside the daily price range by at least 10 basis points.

177. Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge reviewed and verified thousands of trades outside of the daily range, none of which could be the result of legitimate trading activity.

##### **5. Impossibility: Madoff's Statistically Impossible Execution When Allegedly Buying And Selling Stocks**

178. The Kingate Funds' trade confirmations and account statements revealed that Madoff consistently purchased equities at or near monthly lows and sold equities at or near monthly highs.

179. Madoff claimed that he was time slicing, *i.e.*, entering the market at different times throughout a trading day, and that the equity price reported on an account statement reflected the average price. When Madoff claimed to be purchasing equities, the reported average price was almost always in the lower half of the daily trade range, and when he claimed to be selling equities, the sale price was almost always in the upper half of the daily trade range.

180. The Kingate Funds' account statements and trade confirmations indicate that from 1998 to 2008, approximately 81% of equity buys occurred in the lower half of the daily price range, and approximately 74% of equity sales occurred in the upper half of the daily price range.

This consistent execution was statistically impossible, because if Madoff were purchasing or selling a stock several times throughout the trading day, the reported prices would have gravitated toward the daily midpoint.

181. On October 7, 2003, BLMIS purported to purchase 719,516 shares of Wal-Mart Stores Inc. (WMT) for the Kingate Funds at a price of \$57.76. The low for WMT that day was \$57.71, and the high was \$58.90. The volume weighted average price was \$58.46. The Kingate Funds' purported purchase would have been roughly 10% of the traded volume for WMT on that day. It was statistically impossible for BLMIS to have purchased that many shares of WMT for that price on that day.

182. Ceretti, Grosso, the Management Defendants, the Kingate Funds, and Citi Hedge knew that Madoff claimed to be time slicing, and that reported stock prices from multiple purchases or sales of a stock throughout a trading day would gravitate toward the daily midpoint.

**6. Badge Of Fraud: BLMIS Avoided SEC Reporting Requirements By Consistently Claiming To Be Out Of The Market At Quarter-End And Year-End Even Though Such Investment Behavior Was Inconsistent With The SSC Strategy**

183. Various SEC reporting requirements are triggered when securities are invested in the market at either the end of the quarter or the end of the year. To evade those reporting requirements, Madoff purported to liquidate all investments at those times and invest the proceeds in Treasury Bills.

184. Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge reviewed and verified BLMIS statements, and thus knew that the Kingate Funds purportedly were invested in Treasury Bills at every quarter-end and year-end.

185. Madoff's practice of exiting the market according to the calendar, rather than market or economic indicators, was a badge of fraud. Ceretti, Grosso, the Kingate Funds, the

Management Defendants, and Citi Hedge knew Madoff touted “market-timing” as a cornerstone of the SSC strategy and that Madoff’s practice of liquidating all stocks and options at quarter-end and year-end contravened that strategy.

**7. Badge Of Fraud: Madoff’s Purported Options Trades Were Inconsistent With The SSC Strategy**

186. As part of the SSC strategy, Madoff claimed to buy put options and sell call options to hedge losses on the underlying basket of equities. On 126 occasions, the Kingate Funds’ account statements purported to show gains resulting from transactions inconsistent with the SSC strategy. Certain of those transactions involved short-term speculative options trading that resulted in substantial gains for the Kingate Funds.

187. In 2008, Kingate Global and Kingate Euro each participated in two such “trades” that generated gains of approximately \$25.5 million and \$8.8 million, respectively. Those transactions represented approximately 11% of the total returns for the Kingate Funds in 2008. One of those trades reflected on each of the Kingate Funds’ account statements showed an option trade in the middle of the month that accounted for 50% of the returns for that month. Those gains purportedly were achieved through speculation in the options market.

188. Between 1996 and 2008, Kingate Global and Kingate Euro purportedly achieved gains over \$136 million and \$32 million, respectively, from such trades, which were inconsistent with the SSC strategy. Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge knew that speculative options trading, and the substantial gains such trading purportedly achieved, contradicted the SSC strategy.

189. Additionally, the SSC strategy required that the put and call “collar” be adjusted to reflect changes in the basket of equities if some of the underlying equities were sold before liquidation of the entire basket. BLMIS’s falsified account statements indicated that BLMIS

often sold out of an equity position prior to liquidating the entire basket and did not adjust the collar for that sale. Between January 2000 and November 2008, the composition of underlying equities for the Kingate Funds changed without a corresponding adjustment to the collar approximately 64 times.

190. Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge knew that many of BLMIS's options trades contravened Madoff's SSC strategy.

**8. Badge Of Fraud: The Kingate Funds' Trade Confirmations Frequently Contained Settlement Anomalies In Purported Options Transactions**

191. Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge ignored reported options transactions made for the Kingate Funds that settled in a time range outside of industry norms. According to industry standards, the settlement date for listed options is the business day following the trade date, referred to as T+1. Even if the trades were made in the OTC market, Madoff claimed the terms were identical to exchange-traded options requiring the same settlement terms.

192. At least 555 of the 2,149 total options contracts reportedly executed for the Kingate Funds between 1998 and 2008 settled outside the normal period of T+1, thereby failing to comply with standard trading practices.

193. Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge reviewed and verified the trades with these irregularities that departed from the industry norm.

**9. Badge Of Fraud: The Dividend Activity Shown On Customer Statements Was Inconsistent With The Dividend Activity Sophisticated Investors Would Expect**

194. Certain equities that BLMIS purportedly purchased paid dividends. At various times when not in the market, customer funds were purportedly invested in a money market fund

that also paid dividends. On 432 occasions, the Kingate Funds' account statements reflected payments of dividends on dates and/or in frequencies inconsistent with industry practice.

195. Kingate Global's account statements showed purported dividends from money market funds being paid on 217 occasions from December 1995 to November 2008. On 212 of those occasions, *i.e.*, 97.7%, the statement showed a payment date for those dividends that differed from the date on which the money market fund actually paid dividends.

196. Kingate Euro's account statements showed dividends from money market funds being paid on 226 occasions from February 1996 to November 2008. On 220 of those occasions, *i.e.*, 97.3% of the time, the customer statements showed a payment date for those dividends that differed from the date on which the money market fund paid dividends.

197. Typically, money market funds declare dividends daily and pay such dividends monthly. If an entity transacts in a money market fund multiple times in one month, that activity is tracked, the proper dividend is accrued for the days invested, and the dividend is paid at one time. BLMIS's account statements issued to the Kingate Funds, however, showed a dividend being paid upon each sale transaction of the money market fund. The Kingate Global account statements showed multiple dividends from the same money market fund in 40 of 156 months, *i.e.*, 25.6%. Similarly, the Kingate Euro account statements showed multiple dividends from the same money market fund in 43 out of 155 months, *i.e.*, 27.7%.

198. Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge reviewed and verified statements showing highly improbable, if not impossible, dividend payments.

**10. Badge Of Fraud: The Kingate Funds' Account Statements Reflected Illegal Margin Trades**

199. When a customer purchases assets, that purchase must be made with the customer's available funds. When a customer purchases securities, the value of which exceeds the cash value of that customer's account, the customer is said to be buying on "margin." The Kingate Funds did not have a margin account with BLMIS.

200. Between 1998 and 2008, the Kingate Funds' cash accounts with BLMIS showed a negative balance on 220 separate occasions over approximately 609 days. These negative balances were the result of illegal margin trades Madoff purported to make on behalf of the Kingate Funds.

201. For two days in July 1999, the Kingate Global account had a negative balance of \$28,421,606. The average negative balance was \$13,815,039 for six days in June of 2004. During those same respective time periods, the Kingate Euro account had an average negative balance of \$5,272,252 and \$3,742,508.

202. The negative balances resulted from: (i) the purported purchase of equities that exceeded the value of the Treasury Bills purportedly sold to fund the purchase of a stock or put option; (ii) the purported purchase of put options before the purported sale of call options necessary to fund the purchase of the put options; or (iii) cash being withdrawn prior to the purported sale of equities to fund the withdrawal.

203. For example, on January 29, 1998, BLMIS purported to purchase equities for Kingate Global's account but did not sell Treasury Bills necessary to fund the purchase until the next day, which resulted in a negative cash balance of \$2,369,373.46. Trading confirmations likewise showed a move into equities before the Kingate Funds obtained cash from the sale of Treasury Bills to fund that purchase.

204. On January 20, 2006, Kingate Global withdrew \$35 million from its BLMIS account, resulting in an average negative balance in the account of \$25,403,644 for 11 days.

205. BLMIS never charged the Kingate Funds margin interest. As sophisticated and experienced investors and financial institutions, Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge knew BLMIS's apparent interest-free "loans" of tens, if not hundreds, of millions of dollars, when their accounts had insufficient balances to cover the purchase price of the securities and/or cash withdrawals, evidenced fraudulent activity at BLMIS, or at a minimum suggested a high probability of fraud.

**B. Defendants Acquired Knowledge Of Fraudulent Activity At BLMIS From Various Sources In Addition To The BLMIS Account Statements**

**1. Lack Of Scalability**

206. Based upon their experience and sophistication in investment management, Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge knew that in the financial markets, scalability is the ability of an investment strategy to handle higher trading volumes or growing assets under management. As assets under management increase and a fund grows, it becomes more difficult for the fund to find opportunities of a scale proportional to the fund's size.

207. In a meeting in 1999, Grosso informed Island Storm Limited, a potential investor, that BLMIS had about \$6 billion to \$8 billion in assets under management.

208. Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge knew that Madoff's SSC strategy, which purportedly capitalized on inefficiencies in the S&P 100 Index, was inherently limited, as the equities on which the strategy was based were among the most efficiently traded and carefully tracked stocks on the market.

209. The SSC strategy was not scalable for the amount of BLMIS's purported assets under management. To execute the SSC strategy with at least \$8 billion of assets under management, BLMIS would have needed approximately \$8 billion in notional value in call options. Between 2000 and 2008, there were not enough options on the entire market to implement Madoff's purported SSC strategy at any point in time.

210. Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge knew that the SSC strategy could not sustain a fund the size of BLMIS's scale, and continue to deliver such consistent returns.

**2. Purported Options Contracts Entered Into By The Kingate Funds Did Not Identify Counterparties**

211. Options trades that are made in the OTC market are pursuant to private contracts between a party and a counterparty. At times, Madoff claimed to be trading options in the OTC market, which would have required BLMIS to enter into private, individually negotiated, arm's-length contracts with willing counterparties. If the counterparty failed to perform, the Kingate Funds, not BLMIS, would be exposed to the risk.

212. BLMIS identified no counterparties to the Kingate Funds. No experienced investor or financial institution, such as Ceretti, Grosso, the Kingate Funds, the Management Defendants, or Citi Hedge, would knowingly accept the excessive risk of unidentified counterparties to options contracts.

213. Madoff claimed that counterparties entered into agreements identical to those executed by BLMIS's investors, and he also declared that counterparties were obligated to deposit Treasury Bills as collateral for performance. But Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge saw no such agreement, and they never requested or received any confirmation of where and how those Treasury Bills were posted.



214. Grosso represented to shareholders that Madoff used 20 to 30 counterparties and that they “comprise the usual suspects.” Grosso, Ceretti, the Kingate Funds, the Management Defendants, and Citi Hedge did not and could not identify the options counterparties.

215. Madoff also claimed that counterparties took an investor’s equity positions as collateral for performance, in direct contradiction to Madoff’s representation that a counterparty could not seize a BLMIS investor’s equity positions. Madoff’s representation was false, because there was no restriction on an investor’s right to withdraw funds from, or close out, its account, thus eradicating any rights in collateral that a counterparty could have had.

216. Because BLMIS allegedly traded options in large blocks and then divided the contracts proportionally among its investors, a counterparty would not know upon which party it was relying for performance. Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge knew this was a badge of fraud.

### **3. BLMIS Lacked Independent Oversight And Customary Internal Controls**

217. Grosso claimed in a 2007 investment publication that FIM Advisers is “risk conscious to the point of being obsessive,” and that FIM Advisers considers “operational risk to be as much of a threat as market or strategy risk.” Ceretti noted the high percentage of single-manager failures that were related to operational risk. According to that publication, FIM Advisers had terminated managers for growing beyond their operational support structure.

218. Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge knew that BLMIS performed multiple roles in the fund process—it was the investment adviser, custodian, and broker-dealer that initiated and executed the purported trades. There was neither an independent custodian to hold and assure the proper segregation of assets nor an independent third-party to verify the existence of assets, transactions and their value.

219. When a Hemisphere employee told Ceretti in May 2000 that a potential investor was concerned with Madoff's role as both broker and manager, Ceretti responded "keep them away from now on and let me know if they contact you again."

220. In an operational due diligence report created in or about 2004, FIM acknowledged the lack of internal controls by listing Kingate Global as "[b]elow expectations" for fund legal set-up and corporate governance. In 2007, FIM expanded its conclusion, stating "[t]here is a lack of independent oversight of the fund as there is no prime broker and the co-managers have delegated substantially all of the trading authority to the advisor." FIM noted further that the Kingate Funds' administrator relies "on information provided by the advisor and as such this compromises the independent nature of the service. The same applies to FIM's analysis of the performance."

221. According to its regulatory filings with the SEC, BLMIS lacked the staff necessary to perform its purported investment adviser functions, including monitoring and researching the markets, executing the equities and options trades in accordance with the SSC strategy, and taking and verifying custody of securities.

222. In light of their own experience and knowledge of the industry, the knowledge acquired through frequent contacts with Madoff, people in his inner circle and representatives of other funds investing with BLMIS, and visits to the IA Business premises, Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge knew or willfully blinded themselves to the fact that BLMIS lacked the personnel necessary to conduct research on the investment opportunities, execute the purported trades in the IA Business, and manage the billions in assets it purportedly had under management.

**4. Ceretti, Grosso, The Kingate Funds And The Management Defendants Knowingly Ignored The Warnings Of Fraudulent Activity At BLMIS Raised By Third Parties**

223. In January 2005, Ceretti knew that Credit Suisse had advised its clients to sell funds invested with BLMIS because the investment strategy was too risky.

224. In 2007, Merrill Lynch informed FIM directly that it would not invest with the Kingate Funds because of concerns with Madoff.

225. In June 2008, HSBC issued a warning about the Kingate Funds due to the lack of communication and information coming from Madoff regarding his strategy and the IA Business. Grosso dismissed the HSBC analyst as a “junior guy” and a “joker” for “rehashing old arguments” against Madoff. Grosso admitted that such concerns about Madoff were “not new” and that “[t]his has been going on for 20 years.” Ceretti communicated directly with an HSBC Monaco representative, “remind[ing] them that they [HSBC] are [] administrator of Kinagate [sic] and sevrall [sic] other funds and that also several clients are banking with them . . . .” The HSBC Monaco representative reassured Ceretti that people would be fired for issuing the warning.

226. In November 2008, Grosso was informed by another analyst of his concerns about BLMIS’s lack of transparency and Madoff’s possible conflict of interest. Grosso attacked that analyst’s professionalism and experience and dismissed the analyst’s concerns, stating that it was “quite evident that [the analyst] has only a very limited knowledge of options strategies, as well as a very imperfect understanding of the Kingate structure, and possibly a poor understanding of the U.S. broker-dealer industry, its structure, functioning, and regulation.”

227. Each one of these warnings required due diligence into BLMIS.

**5. BLMIS, Known As A High-Technology Firm, Provided Only Time-Delayed Paper Statements**

228. Investment managers typically have technology and systems in place that allow clients to obtain account statements, balances, and other details electronically. By at least June 2000, granting clients electronic access to their accounts was industry practice, particularly because of the Electronic Signatures in Global and National Commerce Act, 15 U.S.C. § 7001, which permits using electronic records to comply with federal law. Throughout the 2000s, consumers were also conducting transactions and accessing their checking and savings accounts online.

229. Although it was customary in the industry, and although Madoff held himself out as a pioneer of electronic trading technology, he did not provide his customers with electronic access to their accounts. BLMIS instead used outmoded technology and provided only printed account statements and paper trade confirmations sent by U.S. mail, three to four days after the trades purportedly occurred. That practice enabled Madoff to pick trades, prices, and securities for customer statements using historical trading data.

230. As early as 1997, a Hemisphere employee informed Grosso that Hemisphere ordinarily received Madoff's pricing information six working days after the trade occurred.

231. Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge knew Madoff was technologically savvy, and BLMIS's failure to provide electronic access to the Kingate Funds' accounts was inexplicable. Grosso proclaimed BLMIS's technology to be the reason "why someone like Madoff has an advantage over most other traders, due to the fact that it has state-of-the-art trading technology that enables it to take advantage immediately of such [trading] opportunities."

232. BLMIS's paper statements, reviewed and verified by Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge, did not furnish standard information, such as opening account balances, trade dates, commissions charged, or ticker symbols for the equities. As sophisticated and experienced investors and financial institutions, Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge knew that the paper statements were deficient and contrary to industry practice.

233. The use of paper statements that omitted standard information allowed BLMIS to purport to trade a security after Madoff could see actual market activity, and indicated a high probability of fraud at BLMIS.

**6. Madoff's "Strip Mall" Auditor Was Not Qualified Or Capable Of Auditing A Global Investment Management Company With Billions Of Dollars Under Management**

234. An auditor reviews the financial statements of the audited firm and determines whether they are fairly stated under generally accepted accounting principles. The Kingate Funds employed a well-known and reputable auditor, PwC.

235. Ceretti, Grosso, the Kingate Funds, and the Management Defendants knew that BLMIS, with tens of billions of dollars under management, was audited by Friebling & Horowitz, a "small [firm] in Rockland [C]ounty."

236. Ceretti, Grosso, the Kingate Funds and the Management Defendants did not independently confirm whether Friebling & Horowitz was adequately staffed, technically equipped, professionally qualified, or otherwise capable of providing large-scale domestic and international auditing services to BLMIS and the billions it had under management.

237. All accounting firms that perform audit work must enroll in the peer review program of the American Institute of Certified Public Accountants ("AICPA"), and those that do are listed on the public area of the AICPA website. Although it held itself out as a member of

AICPA, Friehling & Horowitz had avoided peer review since 1993 by representing that it did not perform any audit work and, therefore, was not listed on the AICPA website.

238. With billions of dollars in assets under management, BLMIS's use of a small, ill-equipped auditor like Friehling & Horowitz was a clear badge of fraud.

## **7. Contrary To Standard Industry Practice, Madoff Charged No Management Fees**

239. BLMIS charged commissions on purportedly executed trades rather than management and performance fees based on assets under management and his performance in executing the SSC strategy. By using a commission-based structure, Madoff inexplicably walked away from hundreds of millions of dollars in fees that every other fund manager would have charged and collected.

240. Fund managers typically charge two types of fees for managing a client's assets: a management fee and a performance fee. The management fee is usually a fixed percentage of the assets under management. The performance fee is based on the realized profits. Any other fees incurred by a manager in trading securities on a customer's account are typically charged separately or are included within the management fee.

241. Instead of charging a 1 to 2% management fee and a 10 to 20% performance fee, which is typical for fund managers, BLMIS charged only a commission for trades: \$0.04 per share on equity transactions, and \$1.00 per contract on options transactions. By not applying a 1% management and 10% performance fee structure, Madoff lost over \$250 million in fees from the Kingate Funds alone from 1995 to 2008.

**X. KINGATE FUNDS' ACCOUNTS IN BANK BERMUDA'S CUSTODY**

242. The Kingate Funds maintained at least four accounts at Bank Bermuda, including Account # XXX-XXXXXXX-511, Account # XXX-XXXXXXX-512, Account # XXX-XXXXXXX-561, and Account # XXXX353 (collectively, the "Bank Bermuda Accounts").

243. Bank Bermuda served as the custodian for the Kingate Funds from 1994 through 2008. During that time, BLMIS fraudulently transferred at least \$916 million into the Bank Bermuda Accounts.

244. As of December 2008, the Bank Bermuda Accounts held on behalf of the Kingate Funds approximately \$133 million, of which approximately \$108 million originated from BLMIS.

245. Bank Bermuda received at least \$328,798 in fees from the Kingate Funds as shown in Figure 10 below:

**Figure 10**

<b>Year</b>	<b>Paid by Kingate Global (USD)</b>
1997	25,000
1998	25,000
1999	25,000
2000	25,000
2001	25,000
2002	23,735
2003	25,000
2004	25,000
2005	25,000
2006	25,000
2007	25,000
<b>Total</b>	<b>273,735</b>





248. The Transfers were and continue to be customer property within the meaning of SIPA § 78III(4) and are avoidable and recoverable under sections 544, 547, 548, 550, and 551 of the Bankruptcy Code, NYDCL §§ 273–279, applicable provisions of SIPA, particularly § 78fff-2(c)(3), and N.Y. C.P.L.R. 203(g) and 213(8).

249. Of the Transfers, during the six years preceding the Filing Date, BLMIS made transfers to, or for the benefit of, Kingate Global of approximately \$360,000,000 (the “Kingate Global Six Year Transfers”) and to, or for the benefit of, Kingate Euro of approximately \$465,000,000 (the “Kingate Euro Six Year Transfers,” and with the Kingate Global Transfers, the “Kingate Funds Six Year Transfers”). The Kingate Funds Six Year Transfers were and continue to be customer property within the meaning of SIPA § 78III(4), and are avoidable and recoverable under sections 544, 550, and 551 of the Bankruptcy Code, §§ 273-279 of the NYDCL, and applicable provisions of SIPA, particularly SIPA § 78fff-2(c)(3).

250. Of the Kingate Global Six Year Transfers, BLMIS transferred to or for the benefit of Kingate Global approximately \$150,000,000, during the two years preceding the Filing Date (the “Kingate Global Two Year Transfers”). Of the Kingate Euro Six Year Transfers, BLMIS transferred to or for the benefit of Kingate Euro approximately \$245,000,000 during the two years preceding the Filing Date (the “Kingate Euro Two Year Transfers,” and with the Kingate Global Two Year Transfers, the “Kingate Funds Two Year Transfers”). The Kingate Funds Two Year Transfers were and continue to be customer property within the meaning of SIPA § 78III(4) and are avoidable and recoverable under sections 544, 548, 550, and 551 of the Bankruptcy Code, §§ 273-279 of the NYDCL, and applicable provisions of SIPA, particularly SIPA § 78fff-2(c)(3).

251. Of the Kingate Global Two Year Transfers, BLMIS transferred to or for the benefit of Kingate Global approximately \$100,000,000 during the 90 days preceding the Filing Date (the “Kingate Global Preference Transfers”). Of the Kingate Euro Two Year Transfers, BLMIS transferred to or for the benefit of Kingate Euro approximately \$155,000,000 during the 90 days preceding the Filing Date (the “Kingate Euro Preference Transfers,” and with the Kingate Global Preference Transfers, the “Kingate Funds Preference Transfers”). The Kingate Funds Preference Transfers were and continue to be customer property within the meaning of SIPA § 78lll(4) and are avoidable and recoverable under sections 547, 550, and 551 of the Bankruptcy Code, and applicable provisions of SIPA, particularly SIPA § 78fff-2(c)(3).

252. The Kingate Funds Six Year Transfers are cumulative of the Kingate Funds Two Year Transfers and the Kingate Funds Preference Transfers. The Kingate Funds Two Year Transfers are cumulative of the Kingate Funds Preference Transfers. The Transfers, including a breakdown of the Kingate Funds Six Year Transfers, the Kingate Funds Two Year Transfers, and the Kingate Funds Preference Transfers, are set forth in the attached Exhibit B.

#### **B. The Subsequent Transfers**

253. Prior to the Filing Date, the Management Defendants, the Ceretti and Grosso Companies, Ceretti, Grosso, Citi Hedge, and Bank Bermuda (collectively, the “Subsequent Transferee Defendants”) were immediate or mediate transferees of some or all of the Transfers to the Kingate Funds.

254. The Management Defendants received at least \$300 million in subsequent transfers in the form of fees (the “Management Defendants Subsequent Transfers”).

255. Ceretti and Grosso received subsequent transfers in the form of distributions from the Ceretti and Grosso Companies, the Kingate Funds, and/or the Management Defendants (the “Ceretti and Grosso Subsequent Transfers”).

256. The Ceretti and Grosso Companies received at least \$296 million in subsequent transfers (the “Ceretti and Grosso Companies Subsequent Transfers”), including but not limited to:

- a. From 2006 through 2008, Port of Hercules’ HSBC account and Alpine Trustees received at least \$63 million in subsequent transfers from Kingate Management, El Prela Group, and El Prela Trading. Using some of those funds, Port of Hercules subsequently transferred at least \$62 million to Ceretti’s personal bank account, El Prela Trading, and other accounts held by Port of Hercules at Fortis Bank in Guernsey and in Switzerland.
- b. In 2006, Alpine Trustees received approximately \$16 million in subsequent transfers from Kingate Management. Using those funds, Alpine Trustees subsequently transferred at least \$2 million to Ceretti’s personal bank account and at least \$14 million to Port of Hercules.
- c. From April through December 2008, El Prela Group received at least \$18 million transferred initially from BLMIS to the Kingate Funds. In turn, El Prela Group subsequently transferred at least \$16 million to Port of Hercules.
- d. In 2008, El Prela Trading received at least \$2 million from Port of Hercules.
- e. Between April and November 2008, Ashby Holdings received at least \$16.3 million in subsequent transfers from Kingate Management. Ashby Holdings subsequently transferred at least \$16.3 million to First Peninsula.
- f. From 2005 through 2008, First Peninsula received at least \$68 million in subsequent transfers from Kingate Management, First Peninsula’s HSBC account, Ashby Investment, and Ashby Holdings.
- g. In October 2008, Ashby Investment transferred at least \$7 million among its own bank accounts and subsequently transferred at least \$7 million to First Peninsula.

257. Citi Hedge received at least \$5.9 million in subsequent transfers in the form of fees (the “Citi Hedge Subsequent Transfers”).

258. Bank Bermuda profited from the Kingate Funds’ investments with BLMIS to the extent of at least \$466,364 in subsequent transfers in the form of fees received from the Kingate Funds (the “Bank Bermuda Subsequent Transfers”).

259. The Management Defendants Subsequent Transfers, the Ceretti and Grosso Companies Subsequent Transfers, the Ceretti and Grosso Subsequent Transfers, the Citi Hedge Subsequent Transfers, and the Bank Bermuda Subsequent Transfers are collectively referred to as the “Subsequent Transfers.”

260. The Trustee’s investigation is ongoing, and the Trustee reserves the right to: (i) supplement the information regarding the Transfers, the Subsequent Transfers, and any other additional transfers; and (ii) seek recovery of such additional transfers.

261. To the extent that any of the recovery Counts set forth below may be inconsistent with each other, they are to be treated as being pleaded in the alternative.

#### **FIRST COUNT**

##### **PREFERENTIAL TRANSFERS 11 U.S.C. §§ 502(d), 547(b), 550(a), AND 551**

##### ***(Against the Kingate Funds)***

262. The Trustee incorporates by reference the allegations contained in the previous paragraphs of this Complaint as if fully rewritten herein.

263. At the time of the Kingate Funds Preference Transfers, the Kingate Funds were “creditors” of BLMIS under section 101(10) of the Bankruptcy Code and under SIPA § 78fff-2(c)(3).

264. The Kingate Funds Preference Transfers constitute a transfer of an interest of BLMIS in property under section 101(54) of the Bankruptcy Code and under SIPA § 78fff-2(c)(3).

265. BLMIS made the Kingate Funds Preference Transfers to or for the benefit of the Kingate Funds.

266. The Kingate Funds Preference Transfers were made for or on account of an antecedent debt owed by BLMIS before such transfers were made.

267. The Kingate Funds Preference Transfers were made while BLMIS was insolvent.

268. The Kingate Funds Preference Transfers were made during the 90-day preference period under section 547(b)(4) of the Bankruptcy Code.

269. The Kingate Funds Preference Transfers enabled the Kingate Funds to receive more than they would have received if: (i) this case was a case under chapter 7 of the Bankruptcy Code; (ii) the transfers had not been made; and (iii) the transferees received payment to the extent provided by the Bankruptcy Code.

270. The Kingate Funds Preference Transfers constitute preferential transfers avoidable by the Trustee under section 547(b) of the Bankruptcy Code and recoverable from the Kingate Funds, as initial transferees or the entities for whose benefit such transfers were made under section 550(a) of the Bankruptcy Code.

271. As a result of the foregoing, under sections 502(d), 547(b), 550(a), and 551 of the Bankruptcy Code, and SIPA § 78fff-2(c)(3), the Trustee is entitled to a judgment against each of the Kingate Funds: (a) avoiding and preserving the Kingate Funds Preference Transfers; (b) directing that the Kingate Funds Preference Transfers be set aside; (c) recovering the Kingate Funds Preference Transfers, or the value thereof, from Kingate Global and Kingate Euro, respectively, as set forth in Exhibit B, for the benefit of the estate; (d) disallowing any claim that either of the Kingate Funds may have against the Debtors until such time as the Kingate Funds Preference Transfers are repaid to the Trustee; and (e) awarding any other relief the Court deems appropriate.

## SECOND COUNT

### **ACTUAL FRAUDULENT TRANSFER 11 U.S.C. §§ 502(d), 548(a)(1)(A), 550(a), AND 551**

#### ***(Against the Kingate Funds)***

272. The Trustee incorporates by reference the allegations contained in the previous paragraphs of this Complaint as if fully rewritten herein.

273. BLMIS made the Kingate Funds Two Year Transfers on or within two years before the Filing Date.

274. The Kingate Funds Two Year Transfers constitute a transfer of an interest of BLMIS in property under sections 101(54) and 548(a) of the Bankruptcy Code and SIPA § 78fff-2(c)(3).

275. BLMIS made the Kingate Funds Two Year Initial Transfers with actual intent to hinder, delay, or defraud some or all of BLMIS's then existing or future creditors. BLMIS made the Kingate Funds Two Year Transfers to or for the benefit of the Kingate Funds in furtherance of a fraudulent investment scheme.

276. The Kingate Funds Two Year Transfers constitute fraudulent transfers avoidable by the Trustee under section 548(a)(1)(A) of the Bankruptcy Code and recoverable from each of the Kingate Funds under section 550(a) of the Bankruptcy Code and SIPA § 78fff-(2)(c)(3).

277. As a result of the foregoing, under sections 502(d), 548(a)(1)(A), 550(a), and 551 of the Bankruptcy Code, and SIPA § 78fff-2(c)(3), the Trustee is entitled to a judgment against each of the Kingate Funds: (a) avoiding and preserving the Kingate Funds Two Year Transfers; (b) directing that the Kingate Funds Two Year Transfers be set aside; (c) recovering the Kingate Funds Two Year Transfers, or the value thereof, from Kingate Global and Kingate Euro, respectively, as set forth in Exhibit B, for the benefit of the estate; (d) disallowing any claim that

either of the Kingate Funds may have against the Debtors until such time as the Kingate Funds Two Year Transfers are repaid to the Trustee; and (e) awarding any other relief the Court deems appropriate.

### **THIRD COUNT**

#### **CONSTRUCTIVE FRAUDULENT TRANSFER** **11 U.S.C. §§ 502(d), 548(a)(1)(B), 550(a), AND 551**

##### ***(Against the Kingate Funds)***

278. The Trustee incorporates by reference the allegations contained in the previous paragraphs of this Complaint as if fully rewritten herein.

279. The Kingate Funds Two Year Transfers were made on or within two years before the Filing Date.

280. The Kingate Funds Two Year Transfers constitute a transfer of an interest of BLMIS in property under sections 101(54) and 548(a) of the Bankruptcy Code and under SIPA § 78fff-2(c)(3).

281. BLMIS received less than a reasonably equivalent value in exchange for the Kingate Funds Two Year Transfers.

282. At the time of the Kingate Funds Two Year Transfers, BLMIS was insolvent, or became insolvent as a result of the Kingate Funds Two Year Transfers.

283. At the time of the Kingate Funds Two Year Transfers, BLMIS was engaged in a business or a transaction, or was about to engage in a business or a transaction, for which any property remaining with BLMIS was an unreasonably small capital.

284. At the time of the Kingate Funds Two Year Transfers, BLMIS intended to incur, or believed that it would incur, debts that would be beyond BLMIS's ability to pay as such debts matured.

285. The Kingate Funds Two Year Transfers constitute fraudulent transfers avoidable by the Trustee under section 548(a)(1)(B) of the Bankruptcy Code and recoverable from the Kingate Funds under section 550(a) of the Bankruptcy Code, and SIPA § 78fff-(2)(c)(3).

286. As a result of the foregoing, under sections 502(d), 548(a)(1)(B), 550(a), and 551 of the Bankruptcy Code, and SIPA § 78fff-2(c)(3), the Trustee is entitled to a judgment against each of the Kingate Funds: (a) avoiding and preserving the Kingate Funds Two Year Transfers; (b) directing that the Kingate Funds Two Year Transfers be set aside; (c) recovering the Kingate Funds Two Year Transfers, or the value thereof, from Kingate Global and Kingate Euro, respectively, as set forth in Exhibit B, for the benefit of the estate; (d) disallowing any claim that either of the Kingate Funds may have against the Debtors until such time as the Kingate Funds Two Year Transfers are repaid to the Trustee; and (e) awarding any other relief the Court deems appropriate.

#### **FOURTH COUNT**

**ACTUAL FRAUDULENT TRANSFER –  
NEW YORK DEBTOR AND CREDITOR LAW  
§§ 276, 276-a, 278, AND/OR 279, AND 11 U.S.C. §§ 502(d), 544, 550(a), AND 551**

***(Against the Kingate Funds)***

287. The Trustee incorporates by reference the allegations contained in the previous paragraphs of this Complaint as if fully rewritten herein.

288. At all times relevant to the Kingate Funds Six Year Transfers, there have been one or more creditors who have held and still hold matured or unmatured unsecured claims against BLMIS that are allowable under section 502 of the Bankruptcy Code or that are not allowable only under section 502(e) of the Bankruptcy Code.

289. The Kingate Funds Six Year Transfers constitute a conveyance by BLMIS as defined under NYDCL § 270.



290. BLMIS made the Kingate Funds Six Year Transfers with actual intent to hinder, delay, or defraud the creditors of BLMIS. BLMIS made the Kingate Funds Six Year Transfers to or for the benefit of the Kingate Funds in furtherance of a fraudulent investment scheme.

291. At the time each of the Kingate Funds Six Year Transfers was made, the Kingate Funds received the Kingate Funds Six Year Transfers with actual intent to hinder, delay, or defraud present or future creditors of BLMIS.

292. As a result of the foregoing, under NYDCL §§ 276, 276-a, 278, and/or 279, sections 502(d), 544(b), 550(a), and 551 of the Bankruptcy Code, and SIPA § 78fff-2(c)(3), the Trustee is entitled to a judgment against each of the Kingate Funds: (a) avoiding and preserving the Kingate Funds Six Year Transfers; (b) directing that the Kingate Funds Six Year Transfers be set aside; (c) recovering the Kingate Funds Six Year Transfers, or the value thereof, from Kingate Global and Kingate Euro, respectively, as set forth in Exhibit B, for the benefit of the estate; (d) disallowing any claim that either of the Kingate Funds may have against the Debtors until such time as the Kingate Funds Six Year Transfers are repaid to the Trustee; (e) recovering attorneys' fees; and (f) awarding any other relief the Court deems appropriate.

#### **FIFTH COUNT**

#### **CONSTRUCTIVE FRAUDULENT TRANSFER – NEW YORK DEBTOR AND CREDITOR LAW §§ 273, 278, AND/OR 279, AND 11 U.S.C. §§ 502(d), 544, 550(a), AND 551**

#### ***(Against the Kingate Funds)***

293. The Trustee incorporates by reference the allegations contained in the previous paragraphs of this Complaint as if fully rewritten herein.

294. At all relevant times, there was at least one creditor that held a matured or unmatured unsecured claim against BLMIS that is allowable under section 502 of the Bankruptcy Code or that is not allowable only under section 502(e) of the Bankruptcy Code.

295. The Kingate Funds Six Year Transfers constitute a conveyance by BLMIS as defined under NYDCL § 270.

296. BLMIS did not receive fair consideration for the Kingate Funds Six Year Transfers.

297. BLMIS was insolvent at the time it made each of the Kingate Funds Six Year Transfers or, in the alternative, BLMIS became insolvent as a result of each of the Kingate Funds Six Year Transfers.

298. As a result of the foregoing, under NYDCL §§ 273, 278, and/or 279, sections 502(d), 544(b), 550(a), and 551 of the Bankruptcy Code, and SIPA § 78fff-2(c)(3), the Trustee is entitled to a judgment against each of the Kingate Funds: (a) avoiding and preserving the Kingate Funds Six Year Transfers; (b) directing that the Kingate Funds Six Year Transfers be set aside; (c) recovering the Kingate Funds Six Year Transfers, or the value thereof, from Kingate Global and Kingate Euro, respectively, as set forth in Exhibit B, for the benefit of the estate; (d) disallowing any claim that either of the Kingate Funds may have against the Debtors until such time as the Kingate Funds Six Year Transfers are repaid to the Trustee; and (e) awarding any other relief the Court deems appropriate.

## **SIXTH COUNT**

### **CONSTRUCTIVE FRAUDULENT TRANSFER – NEW YORK DEBTOR AND CREDITOR LAW §§ 274, 278, AND/OR 279, AND 11 U.S.C. §§ 502(d), 544, 550(a), AND 551**

#### ***(Against the Kingate Funds)***

299. The Trustee incorporates by reference the allegations contained in the previous paragraphs of this Complaint as if fully rewritten herein.

300. At all relevant times, there was at least one creditor that held a matured or unmatured unsecured claim against BLMIS that is allowable under section 502 of the Bankruptcy Code or that is not allowable only under section 502(e) of the Bankruptcy Code.

301. The Kingate Funds Six Year Transfers constitute a conveyance by BLMIS as defined under NYDCL § 270.

302. BLMIS did not receive fair consideration for the Kingate Funds Six Year Transfers.

303. At the time BLMIS made the Kingate Funds Six Year Transfers, BLMIS was engaged or was about to engage in a business or transaction for which the property remaining in its hands after the Kingate Funds Six Year Transfers was an unreasonably small capital.

304. As a result of the foregoing, under NYDCL §§ 274, 278, and/or 279, sections 502(d), 544(b), 550(a), and 551 of the Bankruptcy Code, and SIPA § 78fff-2(c)(3), the Trustee is entitled to a judgment against each of the Kingate Funds: (a) avoiding and preserving the Kingate Funds Six Year Transfers; (b) directing that the Kingate Funds Six Year Transfers be set aside; (c) recovering the Kingate Funds Six Year Transfers, or the value thereof, from Kingate Global and Kingate Euro, respectively, as set forth in Exhibit B, for the benefit of the estate; (d) disallowing any claim that either of the Kingate Funds may have against the Debtors until such time as the Kingate Funds Six Year Transfers are repaid to the Trustee; and (e) awarding any other relief the Court deems appropriate.

## SEVENTH COUNT

### **CONSTRUCTIVE FRAUDULENT TRANSFER – NEW YORK DEBTOR AND CREDITOR LAW §§ 275, 278 AND/OR 279, AND 11 U.S.C. §§ 502(d), 544, 550(a), AND 551**

#### *(Against the Kingate Funds)*

305. The Trustee incorporates by reference the allegations contained in the previous paragraphs of this Complaint as if fully rewritten herein.

306. At all relevant times there was at least one creditor that held a matured or unmatured unsecured claim against BLMIS that is allowable under section 502 of the Bankruptcy Code or that is not allowable only under section 502(e) of the Bankruptcy Code.

307. Each of the Kingate Funds Six Year Transfers constitutes a conveyance by BLMIS as defined under NYDCL § 270.

308. BLMIS did not receive fair consideration for the Kingate Funds Six Year Transfers.

309. At the time BLMIS made the Kingate Funds Six Year Transfers, BLMIS had incurred, was intending to incur, or believed that it would incur debts beyond its ability to pay as the debts matured.

310. As a result of the foregoing, under NYDCL §§ 275, 278, and/or 279, sections 502(d), 544(b), 550(a), and 551 of the Bankruptcy Code, and SIPA § 78fff-2(c)(3), the Trustee is entitled to a judgment against each of the Kingate Funds: (a) avoiding and preserving the Kingate Funds Six Year Transfers; (b) directing that the Kingate Funds Six Year Transfers be set aside; (c) recovering the Kingate Funds Six Year Transfers, or the value thereof, from Kingate Global and Kingate Euro, respectively, as set forth in Exhibit B, for the benefit of the estate; (d) disallowing any claim that either of the Kingate Funds may have against the Debtors until such

time as the Kingate Funds Six Year Transfers are repaid to the Trustee; and (e) awarding any other relief the Court deems appropriate.

## **EIGHTH COUNT**

### **UNDISCOVERED FRAUDULENT TRANSFERS – NEW YORK CIVIL PRACTICE LAW AND RULES 203(g) AND 213(8), AND NEW YORK DEBTOR AND CREDITOR LAW §§ 276, 276-a, 278, AND/OR 279, 11 U.S.C. §§ 502(d), 544, 550(a), AND**

#### **551**

#### ***(Against the Kingate Funds)***

311. The Trustee incorporates by reference the allegations contained in the previous paragraphs of this Complaint as if fully rewritten herein.

312. At all times relevant to the Transfers, the fraudulent scheme perpetrated by BLMIS was not reasonably discoverable by at least one creditor of BLMIS that held a matured or unmatured unsecured claim against BLMIS that is allowable under section 502 of the Bankruptcy Code or that is not allowable only under section 502(e) of the Bankruptcy Code.

313. The Transfers constitute a conveyance by BLMIS as defined under NYDCL § 270.

314. BLMIS made the Transfers to or for the benefit of the Kingate Funds with actual intent to hinder, delay, or defraud the creditors of BLMIS.

315. At the time the Transfers were made, the Kingate Funds received the Transfers with actual intent to hinder, delay or defraud present or future creditors of BLMIS.

316. As a result of the foregoing, under N.Y. C.P.L.R. 203(g) and 213(8), NYDCL §§ 276, 276-a, 278, and/or 279, sections 502(d), 544(b), 550(a), and 551 of the Bankruptcy Code, and SIPA § 78fff-2(c)(3), the Trustee is entitled to a judgment against each of the Kingate Funds: (a) avoiding and preserving the Transfers; (b) directing that the Transfers be set aside; (c) recovering the Transfers, or the value thereof, from Kingate Global and Kingate Euro,

respectively, as set forth in Exhibit B, for the benefit of the estate; (d) disallowing any claim that either of the Kingate Funds may have against the Debtors until such time as the Transfers are repaid to the Trustee; (e) recovering attorneys' fees from the Kingate Funds; and (f) awarding any other relief the Court deems appropriate.

## **NINTH COUNT**

### **RECOVERY OF SUBSEQUENT TRANSFERS – NEW YORK DEBTOR AND CREDITOR LAW § 278 AND 11 U.S.C. §§ 550(a) AND 551**

#### ***(Against the Subsequent Transferee Defendants)***

317. The Trustee incorporates by reference the allegations contained in the previous paragraphs of this Complaint as if fully rewritten herein.

318. Each of the Subsequent Transfers is avoidable under applicable provisions of the Bankruptcy Code, the NYDCL, and/or the N.Y. C.P.L.R., as alleged in this Complaint.

319. The Subsequent Transferee Defendants were immediate or mediate transferees of some or all of the Transfers.

320. The Subsequent Transferee Defendants received the Subsequent Transfers at the time they were made with actual knowledge and/or willful blindness of Madoff's and BLMIS's fraudulent activity.

321. As a result of the foregoing, pursuant to sections 105(a), 550(a), and 551 of the Bankruptcy Code, NYDCL §§ 276-a and 278, and SIPA § 78fff-2(c)(3), the Trustee is entitled to a judgment against the Subsequent Transferee Defendants: (a) recovering the Subsequent Transfers, or the value thereof, from the Subsequent Transferee Defendants, for the benefit of the estate; (b) directing the Subsequent Transferee Defendants to disgorge all profits, including any and all management fees, incentive fees or other compensation and/or remuneration, received by the Subsequent Transferee Defendants related to, arising out of, or concerning the Subsequent

Transfers; (c) recovering attorneys' fees; and (d) awarding any other relief the Court deems appropriate.

## **TENTH COUNT**

### **OBJECTION TO AND DISALLOWANCE OF CUSTOMER CLAIMS**

#### ***(Against the Kingate Funds)***

322. The Trustee incorporates by reference the allegations contained in the previous paragraphs of this Complaint as if fully rewritten herein.

323. The Kingate Funds were not innocent investors at the time they invested with BLMIS. As a result of the Kingate Funds' inequitable conduct, they are not entitled to restitution of their principal investment.

324. The Kingate Funds acted with actual knowledge of fraudulent activity at BLMIS at the time the Kingate Funds invested with BLMIS. The Kingate Funds' conduct, at the time they invested with BLMIS, enabled Madoff to perpetuate the fraud at BLMIS.

325. Alternatively, the Kingate Funds acted with explicit awareness of numerous and serious indications of fraudulent activity at BLMIS, as described in this Complaint.

326. By their conduct, the Kingate Funds could not justifiably rely upon the fact that BLMIS was a legitimate business. Thus, the Kingate Funds do not have a claim for restitution or any other valid claim against the BLMIS estate.

327. As a result of the Kingate Funds' conduct, as described above, pursuant to section 502(a) of the Bankruptcy Code, the Trustee objects to any and all claims of the Kingate Funds against the BLMIS estate, including the Customer Claims, which claims should be disallowed, and the Trustee asserts that the Kingate Funds are not entitled to equitable distribution from the estate pursuant to section 502(b)(1) of the Bankruptcy Code, and SIPA §§ 78fff(b) and 78fff-1(a).

## **ELEVENTH COUNT**

### **EQUITABLE SUBORDINATION OF CLAIMS**

#### ***(Against the Kingate Funds)***

328. The Trustee incorporates by reference the allegations contained in the previous paragraphs of this Complaint as if fully rewritten herein.

329. The Kingate Funds engaged in inequitable conduct, including the conduct described in this Complaint, and benefited by the withdrawal of approximately \$925,351,905, during the lifetime of the Kingate Funds' accounts at BLMIS.

330. Based on the Kingate Funds' inequitable conduct, BLMIS's customers have been misled as to the true financial condition of BLMIS and have been induced to invest without knowledge of the actual facts regarding BLMIS's financial condition, and/or customers and creditors are less likely to recover the full amounts due to them.

331. The Kingate Funds' conduct enabled Madoff to prolong the Ponzi scheme, resulted in injury to all customers and creditors of the BLMIS estate, and conferred an unfair advantage on the Kingate Funds.

332. The Court should exercise the full extent of its equitable powers to ensure that the Customer Claims, and any other claims, payments, or benefits, of whatever kind or nature, that are asserted or sought by the Kingate Funds, directly or indirectly against the estate, and only to the extent such claims are allowed, are subordinated for distribution purposes pursuant to sections 105(a) and 510(c) of the Bankruptcy Code to the allowed claims of all other customers and creditors of BLMIS.

333. Equitable subordination, as requested herein, is consistent with the provisions and purposes of the Bankruptcy Code.



## TWELFTH COUNT

### **EQUITABLE DISALLOWANCE OF CLAIMS**

#### ***(Against the Kingate Funds)***

334. The Trustee incorporates by reference the allegations contained in the previous paragraphs of this Complaint as if fully rewritten herein.

335. With the knowledge of fraudulent activity at BLMIS, including the conduct described in this Complaint, the Kingate Funds engaged in and benefited from inequitable conduct. By the Kingate Funds' conduct, they have taken unconscionable advantage of, resulting in injury to, innocent customers and other creditors of the estate.

336. Based upon the Kingate Funds' failure to deal fairly and in good faith, as described above, all customers and other creditors of BLMIS have been injured, including by being (a) misled as to the true financial condition of BLMIS; (b) induced to invest with BLMIS without knowledge of BLMIS's financial condition; and (c) hindered and delayed in recovering the full amounts due to them. The Kingate Funds' conduct further enabled Madoff to continue the Ponzi scheme.

337. The Kingate Funds' conduct was so egregious that they should not be allowed to share in any equitable distribution made by the Trustee to innocent customers holding allowed claims against BLMIS and/or Madoff.

338. The Court should exercise the full extent of its equitable powers to ensure that the Customer Claims, and any other claims, payments, or benefits, of whatever kind or nature, which are asserted or sought by the Kingate Funds against the estate, are disallowed.

339. Equitable disallowance is consistent with the provisions and purposes of the Bankruptcy Code.

**WHEREFORE**, the Trustee respectfully requests that this Court enter judgment in favor of the Trustee and against defendants as follows:

i. On the First Count, under sections 502(d), 547(b), 550(a), and 551 of the Bankruptcy Code and SIPA § 78fff-2(c)(3), the Trustee is entitled to a judgment against the Kingate Funds: (i) avoiding and preserving the Kingate Funds Preference Transfers; (ii) directing that the Kingate Funds Preference Transfers be set aside; (iii) recovering the Kingate Funds Preference Transfers, or the value thereof, from Kingate Global and Kingate Euro, respectively, as set forth in Exhibit B, for the benefit of the estate; and (iv) disallowing any claim that either of the Kingate Funds may have against the Debtors until such time as the Kingate Funds Preference Transfers are repaid to the Trustee;

ii. On the Second Count, under sections 502(d), 548(a)(1)(A), 550(a), and 551 of the Bankruptcy Code, the Trustee is entitled to a judgment against the Kingate Funds: (i) avoiding and preserving the Kingate Funds Two Year Transfers; (ii) directing that the Kingate Funds Two Year Transfers be set aside; (iii) recovering the Kingate Funds Two Year Transfers, or the value thereof, from Kingate Global and Kingate Euro, respectively, as set forth in Exhibit B, for the benefit of the estate; and (iv) disallowing any claim that either of the Kingate Funds may have against the Debtors until such time as the Kingate Funds Two Year Transfers are repaid to the Trustee;

iii. On the Third Count, under sections 502(d), 548(a)(1)(B), 550(a), and 551 of the Bankruptcy Code, the Trustee is entitled to a judgment against the Kingate Funds: (i) avoiding and preserving the Kingate Funds Two Year Transfers; (ii) directing that the Kingate Funds Two Year Transfers be set aside; and (iii) recovering the Kingate Funds Two Year Transfers, or the value thereof, from Kingate Global and Kingate Euro, respectively, as set forth in Exhibit B, for

the benefit of the estate; and (iv) disallowing any claim that either of the Kingate Funds may have against the Debtors until such time as the Kingate Funds Two Year Transfers are repaid to the Trustee;

iv. On the Fourth Count, under NYDCL §§ 276, 276-a, 278 and/or 279; sections 502(d), 544(b), 550(a), and 551 of the Bankruptcy Code; and SIPA § 78fff-2(c)(3), the Trustee is entitled to a judgment against the Kingate Funds: (i) avoiding and preserving the Kingate Funds Six Year Transfers; (ii) directing that the Kingate Funds Six Year Transfers be set aside; (iii) recovering the Kingate Funds Six Year Transfers, or the value thereof, from Kingate Global and Kingate Euro, respectively, as set forth in Exhibit B, for the benefit of the estate; (iv) disallowing any claim that either of the Kingate Funds may have against the Debtors until such time as the Kingate Funds Six Year Transfers are repaid to the Trustee; and (vi) recovering attorneys' fees from the Kingate Funds;

v. On the Fifth Count, under NYDCL §§ 273, 278 and/or 279; sections 502(d), 544(b), 550(a), and 551 of the Bankruptcy Code; and SIPA § 78fff-2(c)(3), the Trustee is entitled to a judgment against the Kingate Funds: (i) avoiding and preserving the Kingate Funds Six Year Transfers; (ii) directing that the Kingate Funds Six Year Transfers be set aside; (iii) recovering the Kingate Funds Six Year Transfers, or the value thereof, from Kingate Global and Kingate Euro, respectively, as set forth in Exhibit B, for the benefit of the estate; and (iv) disallowing any claim that either of the Kingate Funds may have against the Debtors until such time as the Kingate Funds Six Year Transfers are repaid to the Trustee;

vi. On the Sixth Count, under NYDCL §§ 274, 278 and/or 279; sections 502(d), 544(b), 550(a), and 551 of the Bankruptcy Code; and SIPA § 78fff-2(c)(3), the Trustee is entitled to a judgment against the Kingate Funds: (i) avoiding and preserving the Kingate Funds Six Year

Transfers; (ii) directing that the Kingate Funds Six Year Transfers be set aside; (iii) recovering the Kingate Funds Six Year Transfers, or the value thereof, from Kingate Global and Kingate Euro, respectively, as set forth in Exhibit B, for the benefit of the estate; and (iv) disallowing any claim that either of the Kingate Funds may have against the Debtors until such time as the Kingate Funds Six Year Transfers are repaid to the Trustee;

vii. On the Seventh Count, under NYDCL §§ 275, 278 and/or 279; sections 502(d), 544(b), 550(a), and 551 of the Bankruptcy Code; and SIPA § 78fff-2(c)(3), the Trustee is entitled to a judgment against the Kingate Funds: (i) avoiding and preserving the Kingate Funds Six Year Transfers; (ii) directing that the Kingate Funds Six Year Transfers be set aside; (iii) recovering the Kingate Funds Six Year Transfers, or the value thereof, from Kingate Global and Kingate Euro, respectively, as set forth in Exhibit B, for the benefit of the estate; and (iv) disallowing any claim that either of the Kingate Funds may have against the Debtors until such time as the Kingate Funds Six Year Transfers are repaid to the Trustee;

viii. On the Eighth Count, under N.Y. C.P.L.R. 203(g) and 213(8); NYDCL §§ 276, 276-a, 278, and/or 279; sections 502(d), 544(b), 550(a), and 551 of the Bankruptcy Code; and SIPA § 78fff-2(c)(3), the Trustee is entitled to a judgment against the Kingate Funds: (i) avoiding and preserving the Transfers; (ii) directing that the Transfers be set aside; (iii) recovering the Transfers, or the value thereof, from Kingate Global and Kingate Euro, respectively, as set forth in Exhibit B, for the benefit of the estate; (iv) disallowing any claim that either of the Kingate Funds may have against the Debtors until such time as the Transfers are repaid to the Trustee; and (v) recovering attorneys' fees from the Kingate Funds;

ix. On the Ninth Count, under NYDCL § 278; sections 550(a) and 551 of the Bankruptcy Code; and SIPA § 78fff-2(c)(3), the Trustee is entitled to a judgment recovering the

Subsequent Transfers, or the value thereof, from the Subsequent Transferee Defendants for the benefit of the estate;

x. On the Tenth Count, under section 502(b)(1) of the Bankruptcy Code, disallowing the Kingate Funds' claims, including the Customer Claims;

xi. On the Eleventh Count, under sections 105(a) and 510(c) of the Bankruptcy Code, subordinating the Kingate Funds' claims, including the Customer Claims, for purposes of distribution to all allowed claims of BLMIS's customers and creditors, such that no claim of the Kingate Funds is paid ahead of the allowed claim of any customer or creditor of BLMIS;

xii. On the Twelfth Count, under this Court's equitable powers, disallowing the Kingate Funds' claims, including the Customer Claims;

xiii. On the First through Eighth Counts, directing the Kingate Funds to disgorge to the Trustee all profits, including any and all management fees, incentive fees or other compensation and/or remuneration received by defendants related to, arising from, or concerning the Transfers from BLMIS to the Kingate Funds;

xiv. On the Ninth Count, disgorgement of profits and fees received by the Subsequent Transferee Defendants in connection with the conduct alleged in this Complaint in favor of the Trustee for the benefit of the estate;

xv. On the First through Ninth Counts, pursuant to N.Y. C.P.L.R. 5001 and 5004, as applicable, awarding the Trustee prejudgment interest from the date on which the Transfers or Subsequent Transfers were received by defendants;

xvi. On the First through Ninth Counts, establishing a constructive trust over all Transfers and Subsequent Transfers and their proceeds, product and offspring, in favor of the Trustee for the benefit of the estate;

xvii. On the First through Ninth Counts, assigning defendants' right to seek refunds from the government for federal, state, and local taxes paid on fictitious profits during the course of the Ponzi scheme;

xviii. Awarding the Trustee attorneys' fees and all applicable interest, costs, and disbursements of this proceeding; and

xix. Granting the Trustee such other, further, and different relief as the Court deems just, proper, and equitable.

Dated: New York, New York  
March 17, 2014

s/ David J. Sheehan  
David J. Sheehan  
Geraldine E. Ponto  
Gonzalo S. Zeballos  
Michelle R. Usitalo

Baker & Hostetler LLP  
45 Rockefeller Plaza  
New York, NY 10111  
Telephone: (212) 589-4200  
Facsimile: (212) 589-4201

*Attorneys for Irving H. Picard, Trustee for the  
substantively consolidated SIPA Liquidation  
of Bernard L. Madoff Investment Securities  
LLC and the estate of Bernard L. Madoff*

Of Counsel:  
Oren J. Warshavsky  
Frederick W. Chockley, III  
John J. Burke  
Nina Liao  
William Hellmuth

## **EXHIBIT A**

BLMIS Account Name	BLMIS Account Number
KINGATE GLOBAL FUND LTD C/O BANK OF BERMUDA LTD A/C/F KINGATE GLOBAL FUND	1FN061
KINGATE EURO FUND LTD	1FN086



## **EXHIBIT B**

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	<u>Transaction Description</u>	<u>Transaction Amount Reported in Customer Statement</u>	<u>Cash Deposits</u>	<u>Cash Withdrawals</u>	<u>Transfers of Principal In</u>	<u>Transfers of Principal Out</u>	<u>Balance of Principal</u>	<u>90-Day Preferential Transfers</u>	<u>2-Year Cash Withdrawals</u>	<u>6-Year Cash Withdrawals</u>	<u>Full History Cash Withdrawals</u>
3/2/1994	CHECK WIRE	2,000,000	2,000,000	-	-	-	2,000,000	-	-	-	-
9/1/1994	W/H TAX DIV INTC	(0)	-	(0)	-	-	2,000,000	-	-	-	(0)
9/1/1994	W/H TAX DIV INTC	(1)	-	(1)	-	-	1,999,999	-	-	-	(1)
9/1/1994	W/H TAX DIV F	(189)	-	(189)	-	-	1,999,810	-	-	-	(189)
9/2/1994	W/H TAX DIV BA	(7)	-	(7)	-	-	1,999,803	-	-	-	(7)
9/6/1994	W/H TAX DIV JNJ	(125)	-	(125)	-	-	1,999,678	-	-	-	(125)
9/12/1994	W/H TAX DIV IBM	(107)	-	(107)	-	-	1,999,572	-	-	-	(107)
9/12/1994	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	(15)	-	(15)	-	-	1,999,556	-	-	-	(15)
9/12/1994	W/H TAX DIV AN	(188)	-	(188)	-	-	1,999,368	-	-	-	(188)
9/12/1994	W/H TAX DIV MMM	(137)	-	(137)	-	-	1,999,231	-	-	-	(137)
9/12/1994	W/H TAX DIV GM	(103)	-	(103)	-	-	1,999,129	-	-	-	(103)
9/12/1994	W/H TAX DIV DD	(238)	-	(238)	-	-	1,998,890	-	-	-	(238)
9/12/1994	W/H TAX DIV MOB	(219)	-	(219)	-	-	1,998,671	-	-	-	(219)
9/12/1994	W/H TAX DIV XON	(619)	-	(619)	-	-	1,998,052	-	-	-	(619)
9/15/1994	W/H TAX DIV BAC	(102)	-	(102)	-	-	1,997,950	-	-	-	(102)
9/15/1994	W/H TAX DIV ARC	(120)	-	(120)	-	-	1,997,830	-	-	-	(120)
9/16/1994	W/H TAX DIV AIG	(29)	-	(29)	-	-	1,997,801	-	-	-	(29)
9/16/1994	W/H TAX DIV MCD	(1)	-	(1)	-	-	1,997,800	-	-	-	(1)
9/30/1994	W/H TAX DIV PEP	(94)	-	(94)	-	-	1,997,706	-	-	-	(94)
10/3/1994	W/H TAX DIV KO	(169)	-	(169)	-	-	1,997,537	-	-	-	(169)
10/3/1994	W/H TAX DIV EK	(12)	-	(12)	-	-	1,997,525	-	-	-	(12)
10/3/1994	W/H TAX DIV MRK	(305)	-	(305)	-	-	1,997,220	-	-	-	(305)
10/3/1994	W/H TAX DIV WMT	(67)	-	(67)	-	-	1,997,153	-	-	-	(67)
10/11/1994	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	(4)	-	(4)	-	-	1,997,149	-	-	-	(4)
10/12/1994	W/H TAX DIV HWP	(53)	-	(53)	-	-	1,997,096	-	-	-	(53)
10/14/1994	W/H TAX DIV C	(8)	-	(8)	-	-	1,997,088	-	-	-	(8)
10/25/1994	W/H TAX DIV GE	(441)	-	(441)	-	-	1,996,647	-	-	-	(441)
10/28/1994	W/H TAX DIV DOW	(114)	-	(114)	-	-	1,996,533	-	-	-	(114)
11/1/1994	W/H TAX DIV T	(343)	-	(343)	-	-	1,996,190	-	-	-	(343)
11/1/1994	W/H TAX DIV AIT	(169)	-	(169)	-	-	1,996,020	-	-	-	(169)
11/1/1994	W/H TAX DIV BEL	(238)	-	(238)	-	-	1,995,782	-	-	-	(238)
11/1/1994	W/H TAX DIV S	(102)	-	(102)	-	-	1,995,680	-	-	-	(102)
11/1/1994	W/H TAX DIV BMY	(255)	-	(255)	-	-	1,995,424	-	-	-	(255)
11/15/1994	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	(9)	-	(9)	-	-	1,995,415	-	-	-	(9)
11/17/1994	W/H TAX DIV CCI	(37)	-	(37)	-	-	1,995,378	-	-	-	(37)
12/1/1994	W/H TAX DIV F	(163)	-	(163)	-	-	1,995,215	-	-	-	(163)
12/1/1994	W/H TAX DIV INTC	(16)	-	(16)	-	-	1,995,199	-	-	-	(16)
12/6/1994	W/H TAX DIV JNJ	(120)	-	(120)	-	-	1,995,080	-	-	-	(120)
12/9/1994	W/H TAX DIV MCIC	(10)	-	(10)	-	-	1,995,069	-	-	-	(10)
12/12/1994	W/H TAX DIV GM	(96)	-	(96)	-	-	1,994,974	-	-	-	(96)
12/12/1994	W/H TAX DIV MMM	(116)	-	(116)	-	-	1,994,858	-	-	-	(116)
12/12/1994	W/H TAX DIV AN	(172)	-	(172)	-	-	1,994,685	-	-	-	(172)
12/12/1994	W/H TAX DIV XON	(582)	-	(582)	-	-	1,994,104	-	-	-	(582)
12/12/1994	W/H TAX DIV MOB	(224)	-	(224)	-	-	1,993,879	-	-	-	(224)
12/12/1994	W/H TAX DIV IBM	(91)	-	(91)	-	-	1,993,788	-	-	-	(91)
12/14/1994	W/H TAX DIV BAC	(92)	-	(92)	-	-	1,993,696	-	-	-	(92)
12/14/1994	W/H TAX DIV DD	(240)	-	(240)	-	-	1,993,456	-	-	-	(240)
12/15/1994	FIDELITY CASH RESERVES SBI	(46)	-	(46)	-	-	1,993,410	-	-	-	(46)
12/15/1994	W/H TAX DIV ARC	(136)	-	(136)	-	-	1,993,274	-	-	-	(136)
12/15/1994	W/H TAX DIV KO	(161)	-	(161)	-	-	1,993,113	-	-	-	(161)
12/16/1994	W/H TAX DIV MCD	(27)	-	(27)	-	-	1,993,086	-	-	-	(27)
12/16/1994	W/H TAX DIV AIG	(23)	-	(23)	-	-	1,993,063	-	-	-	(23)
1/3/1995	W/H TAX DIV S	(86)	-	(86)	-	-	1,992,978	-	-	-	(86)
1/3/1995	W/H TAX DIV EK	(86)	-	(86)	-	-	1,992,892	-	-	-	(86)
1/3/1995	W/H TAX DIV MRK	(243)	-	(243)	-	-	1,992,649	-	-	-	(243)
1/3/1995	W/H TAX DIV PEP	(89)	-	(89)	-	-	1,992,560	-	-	-	(89)
1/5/1995	W/H TAX DIV WMT	(60)	-	(60)	-	-	1,992,500	-	-	-	(60)
1/13/1995	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	(16)	-	(16)	-	-	1,992,484	-	-	-	(16)
2/13/1995	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	(5)	-	(5)	-	-	1,992,480	-	-	-	(5)
2/17/1995	W/H TAX DIV CCI	(77)	-	(77)	-	-	1,992,403	-	-	-	(77)
3/1/1995	W/H TAX DIV F	(165)	-	(165)	-	-	1,992,238	-	-	-	(165)
3/1/1995	W/H TAX DIV INTC	(15)	-	(15)	-	-	1,992,223	-	-	-	(15)
3/3/1995	W/H TAX DIV BA	(51)	-	(51)	-	-	1,992,171	-	-	-	(51)
3/6/1995	W/H TAX DIV SO	(125)	-	(125)	-	-	1,992,046	-	-	-	(125)
3/7/1995	W/H TAX DIV JNJ	(119)	-	(119)	-	-	1,991,927	-	-	-	(119)
3/9/1995	CHECK WIRE	1,300,000	1,300,000	-	-	-	3,291,927	-	-	-	-
3/10/1995	W/H TAX DIV MOB	(203)	-	(203)	-	-	3,291,724	-	-	-	(203)
3/10/1995	W/H TAX DIV AN	(195)	-	(195)	-	-	3,291,529	-	-	-	(195)
3/10/1995	W/H TAX DIV XON	(590)	-	(590)	-	-	3,290,939	-	-	-	(590)
3/10/1995	W/H TAX DIV GM	(96)	-	(96)	-	-	3,290,843	-	-	-	(96)

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	<u>Transaction Description</u>	<u>Transaction Amount</u> <u>Reported in</u> <u>Customer Statement</u>	<u>Cash</u> <u>Deposits</u>	<u>Cash</u> <u>Withdrawals</u>	<u>Transfers of</u> <u>Principal In</u>	<u>Transfers of</u> <u>Principal Out</u>	<u>Balance of</u> <u>Principal</u>	<u>90-Day</u> <u>Preferential</u> <u>Transfers</u>	<u>2-Year</u> <u>Cash</u> <u>Withdrawals</u>	<u>6-Year</u> <u>Cash</u> <u>Withdrawals</u>	<u>Full History</u> <u>Cash</u> <u>Withdrawals</u>
3/10/1995	W/H TAX DIV IBM	(90)	-	(90)	-	-	3,290,753	-	-	-	(90)
3/13/1995	W/H TAX DIV MMM	(129)	-	(129)	-	-	3,290,625	-	-	-	(129)
3/14/1995	W/H TAX DIV DD	(201)	-	(201)	-	-	3,290,424	-	-	-	(201)
3/14/1995	W/H TAX DIV BAC	(102)	-	(102)	-	-	3,290,322	-	-	-	(102)
3/15/1995	W/H TAX DIV ARC	(141)	-	(141)	-	-	3,290,180	-	-	-	(141)
3/15/1995	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	(6)	-	(6)	-	-	3,290,175	-	-	-	(6)
3/17/1995	W/H TAX DIV MCD	(27)	-	(27)	-	-	3,290,148	-	-	-	(27)
3/31/1995	W/H TAX DIV PEP	(95)	-	(95)	-	-	3,290,052	-	-	-	(95)
4/3/1995	W/H TAX DIV EK	(82)	-	(82)	-	-	3,289,970	-	-	-	(82)
4/3/1995	W/H TAX DIV S	(82)	-	(82)	-	-	3,289,888	-	-	-	(82)
4/3/1995	W/H TAX DIV AIG	(22)	-	(22)	-	-	3,289,867	-	-	-	(22)
4/3/1995	W/H TAX DIV MRK	(246)	-	(246)	-	-	3,289,620	-	-	-	(246)
4/3/1995	W/H TAX DIV KO	(188)	-	(188)	-	-	3,289,432	-	-	-	(188)
4/11/1995	CHECK WIRE	2,450,000	2,450,000	-	-	-	5,739,432	-	-	-	-
4/12/1995	W/H TAX DIV HWP	(65)	-	(65)	-	-	5,739,367	-	-	-	(65)
4/17/1995	W/H TAX DIV WMT	(101)	-	(101)	-	-	5,739,266	-	-	-	(101)
4/17/1995	W/H TAX DIV C	(82)	-	(82)	-	-	5,739,184	-	-	-	(82)
4/24/1995	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	(42)	-	(42)	-	-	5,739,142	-	-	-	(42)
4/25/1995	W/H TAX DIV GE	(442)	-	(442)	-	-	5,738,700	-	-	-	(442)
4/28/1995	W/H TAX DIV DOW	(173)	-	(173)	-	-	5,738,527	-	-	-	(173)
5/1/1995	W/H TAX DIV T	(531)	-	(531)	-	-	5,737,996	-	-	-	(531)
5/1/1995	W/H TAX DIV AIT	(267)	-	(267)	-	-	5,737,729	-	-	-	(267)
5/1/1995	W/H TAX DIV BEL	(301)	-	(301)	-	-	5,737,428	-	-	-	(301)
5/1/1995	W/H TAX DIV BYM	(363)	-	(363)	-	-	5,737,065	-	-	-	(363)
5/2/1995	CHECK WIRE	500,000	500,000	-	-	-	6,237,065	-	-	-	-
5/5/1995	CHECK	250,000	250,000	-	-	-	6,487,065	-	-	-	-
5/5/1995	CHECK WIRE	250,000	250,000	-	-	-	6,737,065	-	-	-	-
5/5/1995	CANCEL CHECK	(250,000)	(250,000)	-	-	-	6,487,065	-	-	-	-
5/17/1995	W/H TAX DIV CCI	(178)	-	(178)	-	-	6,486,887	-	-	-	(178)
5/19/1995	W/H TAX DIV DIS	(47)	-	(47)	-	-	6,486,840	-	-	-	(47)
5/23/1995	FIDELITY CASH RESERVE SBI W/H TAX DIV FOR FCRXX	(50)	-	(50)	-	-	6,486,790	-	-	-	(50)
6/1/1995	W/H TAX DIV INTC	(38)	-	(38)	-	-	6,486,752	-	-	-	(38)
6/1/1995	W/H TAX DIV F	(491)	-	(491)	-	-	6,486,261	-	-	-	(491)
6/2/1995	W/H TAX DIV BA	(129)	-	(129)	-	-	6,486,132	-	-	-	(129)
6/6/1995	CHECK WIRE	1,900,000	1,900,000	-	-	-	8,386,132	-	-	-	-
6/6/1995	W/H TAX DIV SO	(302)	-	(302)	-	-	8,385,830	-	-	-	(302)
6/6/1995	W/H TAX DIV JNJ	(327)	-	(327)	-	-	8,385,504	-	-	-	(327)
6/12/1995	W/H TAX DIV MOB	(549)	-	(549)	-	-	8,384,954	-	-	-	(549)
6/12/1995	W/H TAX DIV XON	(1,426)	-	(1,426)	-	-	8,383,528	-	-	-	(1,426)
6/12/1995	W/H TAX DIV DD	(432)	-	(432)	-	-	8,383,096	-	-	-	(432)
6/12/1995	W/H TAX DIV AN	(451)	-	(451)	-	-	8,382,645	-	-	-	(451)
6/12/1995	W/H TAX DIV IBM	(228)	-	(228)	-	-	8,382,417	-	-	-	(228)
6/12/1995	W/H TAX DIV MMM	(298)	-	(298)	-	-	8,382,119	-	-	-	(298)
6/12/1995	W/H TAX DIV GM	(345)	-	(345)	-	-	8,381,775	-	-	-	(345)
6/14/1995	W/H TAX DIV BAC	(255)	-	(255)	-	-	8,381,520	-	-	-	(255)
6/15/1995	W/H TAX DIV ARC	(327)	-	(327)	-	-	8,381,193	-	-	-	(327)
6/16/1995	W/H TAX DIV AIG	(62)	-	(62)	-	-	8,381,131	-	-	-	(62)
6/16/1995	W/H TAX DIV MCD	(81)	-	(81)	-	-	8,381,050	-	-	-	(81)
6/19/1995	FIDELITY ASH RESERVES SBI W/H TAX DIV FORXX	(29)	-	(29)	-	-	8,381,020	-	-	-	(29)
6/23/1995	W/H TAX DIV MCIC	(30)	-	(30)	-	-	8,380,990	-	-	-	(30)
6/30/1995	W/H TAX DIV PEP	(276)	-	(276)	-	-	8,380,714	-	-	-	(276)
7/3/1995	W/H TAX DIV EK	(233)	-	(233)	-	-	8,380,481	-	-	-	(233)
7/3/1995	W/H TAX DIV MRK	(667)	-	(667)	-	-	8,379,814	-	-	-	(667)
7/3/1995	W/H TAX DIV KO	(491)	-	(491)	-	-	8,379,323	-	-	-	(491)
7/3/1995	W/H TAX DIV SLB	(152)	-	(152)	-	-	8,379,172	-	-	-	(152)
7/5/1995	CHECK WIRE	2,350,000	2,350,000	-	-	-	10,729,172	-	-	-	-
7/10/1995	W/H TAX DIV WMT	(202)	-	(202)	-	-	10,728,970	-	-	-	(202)
7/14/1995	W/H TAX DIV C	(311)	-	(311)	-	-	10,728,659	-	-	-	(311)
7/19/1995	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	(36)	-	(36)	-	-	10,728,622	-	-	-	(36)
7/25/1995	W/H TAX DIV GE	(1,555)	-	(1,555)	-	-	10,727,068	-	-	-	(1,555)
7/28/1995	W/H TAX DIV DOW	(433)	-	(433)	-	-	10,726,635	-	-	-	(433)
8/1/1995	W/H TAX DIV T	(1,148)	-	(1,148)	-	-	10,725,487	-	-	-	(1,148)
8/1/1995	W/H TAX DIV BEL	(668)	-	(668)	-	-	10,724,819	-	-	-	(668)
8/1/1995	W/H TAX DIV AIT	(597)	-	(597)	-	-	10,724,222	-	-	-	(597)
8/1/1995	W/H TAX DIV BMY	(834)	-	(834)	-	-	10,723,388	-	-	-	(834)
8/2/1995	CHECK WIRE	4,760,000	4,760,000	-	-	-	15,483,388	-	-	-	-
8/3/1995	W/H TAX DIV AIG	(11)	-	(11)	-	-	15,483,377	-	-	-	(11)
8/10/1995	W/H TAX DIV AXP	(244)	-	(244)	-	-	15,483,133	-	-	-	(244)
8/16/1995	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	(14)	-	(14)	-	-	15,483,119	-	-	-	(14)
8/17/1995	W/H TAX DIV CCI	(326)	-	(326)	-	-	15,482,793	-	-	-	(326)

Page 3 of 25 - 1FN061

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	Transaction Description	Transaction Amount Reported in Customer Statement	Cash Deposits	Cash Withdrawals	Transfers of Principal In	Transfers of Principal Out	Balance of Principal	90-Day Preferential Transfers	2-Year Cash Withdrawals	6-Year Cash Withdrawals	Full History Cash Withdrawals
3/1/1996	W/H TAX DIV F	(2,596)	-	(2,596)	-	-	35,978,590	-	-	-	(2,596)
3/1/1996	W/H TAX DIV COL	(90)	-	(90)	-	-	35,978,500	-	-	-	(90)
3/1/1996	W/H TAX DIV INTC	(229)	-	(229)	-	-	35,978,271	-	-	-	(229)
3/11/1996	W/H TAX DIV MOB	(2,571)	-	(2,571)	-	-	35,975,700	-	-	-	(2,571)
3/11/1996	W/H TAX DIV AN	(2,179)	-	(2,179)	-	-	35,973,521	-	-	-	(2,179)
3/11/1996	W/H TAX DIV IBM	(999)	-	(999)	-	-	35,972,522	-	-	-	(999)
3/11/1996	W/H TAX DIV XON	(6,422)	-	(6,422)	-	-	35,966,100	-	-	-	(6,422)
3/11/1996	W/H TAX DIV GM	(2,036)	-	(2,036)	-	-	35,964,065	-	-	-	(2,036)
3/12/1996	W/H TAX DIV BAC	(1,407)	-	(1,407)	-	-	35,962,658	-	-	-	(1,407)
3/12/1996	W/H TAX DIV JNJ	(1,558)	-	(1,558)	-	-	35,961,099	-	-	-	(1,558)
3/14/1996	W/H TAX DIV DD	(1,987)	-	(1,987)	-	-	35,959,112	-	-	-	(1,987)
3/15/1996	W/H TAX DIV MCD	(69)	-	(69)	-	-	35,959,043	-	-	-	(69)
3/15/1996	W/H TAX DIV ARC	(1,433)	-	(1,433)	-	-	35,957,610	-	-	-	(1,433)
3/21/1996	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	(27)	-	(27)	-	-	35,957,583	-	-	-	(27)
3/22/1996	W/H TAX DIV AIG	(179)	-	(179)	-	-	35,957,405	-	-	-	(179)
3/29/1996	W/H TAX DIV PEP	(700)	-	(700)	-	-	35,956,705	-	-	-	(700)
4/1/1996	W/H TAX DIV MRK	(1,878)	-	(1,878)	-	-	35,954,827	-	-	-	(1,878)
4/1/1996	W/H TAX DIV KO	(2,321)	-	(2,321)	-	-	35,952,506	-	-	-	(2,321)
4/1/1996	W/H TAX DIV EK	(197)	-	(197)	-	-	35,952,309	-	-	-	(197)
4/1/1996	W/H TAX DIV S	(130)	-	(130)	-	-	35,952,179	-	-	-	(130)
4/2/1996	W/H TAX DIV C	(1,697)	-	(1,697)	-	-	35,950,481	-	-	-	(1,697)
4/3/1996	CHECK WIRE	2,400,000	2,400,000	-	-	-	38,350,481	-	-	-	-
4/8/1996	W/H TAX DIV WMT	(900)	-	(900)	-	-	38,349,581	-	-	-	(900)
4/10/1996	W/H TAX DIV HWP	(764)	-	(764)	-	-	38,348,816	-	-	-	(764)
4/17/1996	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	(67)	-	(67)	-	-	38,348,750	-	-	-	(67)
4/25/1996	W/H TAX DIV GE	(1,130)	-	(1,130)	-	-	38,347,620	-	-	-	(1,130)
4/30/1996	W/H TAX DIV DOW	(1,454)	-	(1,454)	-	-	38,346,166	-	-	-	(1,454)
5/1/1996	W/H TAX DIV T	(3,938)	-	(3,938)	-	-	38,342,228	-	-	-	(3,938)
5/1/1996	W/H TAX DIV BEL	(2,317)	-	(2,317)	-	-	38,339,911	-	-	-	(2,317)
5/1/1996	W/H TAX DIV AIT	(2,157)	-	(2,157)	-	-	38,337,754	-	-	-	(2,157)
5/1/1996	W/H TAX DIV BMY	(2,877)	-	(2,877)	-	-	38,334,878	-	-	-	(2,877)
5/1/1996	W/H TAX DIV NYN	(1,829)	-	(1,829)	-	-	38,333,048	-	-	-	(1,829)
5/2/1996	W/H TAX DIV PNU	(1,016)	-	(1,016)	-	-	38,332,033	-	-	-	(1,016)
5/3/1996	CHECK WIRE	700,000	700,000	-	-	-	39,032,033	-	-	-	-
5/10/1996	W/H TAX DIV AXP	(828)	-	(828)	-	-	39,031,205	-	-	-	(828)
5/14/1996	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	(40)	-	(40)	-	-	39,031,164	-	-	-	(40)
5/17/1996	W/H TAX DIV DIS	(428)	-	(428)	-	-	39,030,736	-	-	-	(428)
5/17/1996	W/H TAX DIV CCI	(1,734)	-	(1,734)	-	-	39,029,002	-	-	-	(1,734)
5/21/1996	W/H TAX DIV AIG	(321)	-	(321)	-	-	39,028,681	-	-	-	-
6/3/1996	AMERICAN INTL GROUP INC CXL W/H TAX 5/07/96 AIG	321	-	321	-	-	39,029,002	-	-	-	-
6/3/1996	W/H TAX DIV F	(3,040)	-	(3,040)	-	-	39,025,962	-	-	-	(3,040)
6/3/1996	W/H TAX DIV COL	(105)	-	(105)	-	-	39,025,858	-	-	-	(105)
6/3/1996	W/H TAX DIV INTC	(268)	-	(268)	-	-	39,025,589	-	-	-	(268)
6/5/1996	CHECK WIRE	7,300,000	7,300,000	-	-	-	46,325,589	-	-	-	-
6/7/1996	W/H TAX DIV BA	(437)	-	(437)	-	-	46,325,153	-	-	-	(437)
6/10/1996	W/H TAX DIV AN	(2,588)	-	(2,588)	-	-	46,322,565	-	-	-	(2,588)
6/10/1996	W/H TAX DIV MOB	(3,148)	-	(3,148)	-	-	46,319,416	-	-	-	(3,148)
6/10/1996	W/H TAX DIV IBM	(1,642)	-	(1,642)	-	-	46,317,774	-	-	-	(1,642)
6/11/1996	W/H TAX DIV JNJ	(1,186)	-	(1,186)	-	-	46,316,588	-	-	-	(1,186)
6/12/1996	W/H TAX DIV MMM	(1,438)	-	(1,438)	-	-	46,315,150	-	-	-	(1,438)
6/12/1996	W/H TAX DIV BAC	(907)	-	(907)	-	-	46,314,243	-	-	-	(907)
6/14/1996	W/H TAX DIV MCD	(398)	-	(398)	-	-	46,313,845	-	-	-	(398)
6/21/1996	W/H TAX DIV AIG	(295)	-	(295)	-	-	46,313,550	-	-	-	(295)
6/25/1996	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	(51)	-	(51)	-	-	46,313,499	-	-	-	(51)
6/28/1996	W/H TAX DIV PEP	(1,408)	-	(1,408)	-	-	46,312,092	-	-	-	(1,408)
7/1/1996	W/H TAX DIV KO	(2,499)	-	(2,499)	-	-	46,309,593	-	-	-	(2,499)
7/1/1996	W/H TAX DIV WMT	(932)	-	(932)	-	-	46,308,661	-	-	-	(932)
7/1/1996	W/H TAX DIV MRK	(3,260)	-	(3,260)	-	-	46,305,401	-	-	-	(3,260)
7/3/1996	CHECK WIRE	6,500,000	6,500,000	-	-	-	52,805,401	-	-	-	-
7/5/1996	W/H TAX DIV SLB	(689)	-	(689)	-	-	52,804,712	-	-	-	(689)
7/8/1996	CHECK WIRE	1,500,000	1,500,000	-	-	-	54,304,712	-	-	-	-
7/10/1996	W/H TAX DIV HWP	(979)	-	(979)	-	-	54,303,733	-	-	-	(979)
7/15/1996	W/H TAX DIV C	(1,999)	-	(1,999)	-	-	54,301,734	-	-	-	(1,999)
7/22/1996	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	(40)	-	(40)	-	-	54,301,694	-	-	-	(40)
7/25/1996	W/H TAX DIV GE	(6,989)	-	(6,989)	-	-	54,294,704	-	-	-	(6,989)
7/30/1996	W/H TAX DIV DOW	(1,377)	-	(1,377)	-	-	54,293,327	-	-	-	(1,377)
8/1/1996	W/H TAX DIV PNU	(1,244)	-	(1,244)	-	-	54,292,083	-	-	-	(1,244)
8/1/1996	W/H TAX DIV EK	(1,061)	-	(1,061)	-	-	54,291,022	-	-	-	(1,061)
8/1/1996	W/H TAX DIV NYN	(2,293)	-	(2,293)	-	-	54,288,730	-	-	-	(2,293)
8/1/1996	W/H TAX DIV BMY	(3,429)	-	(3,429)	-	-	54,285,301	-	-	-	(3,429)

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	<u>Transaction Description</u>	<u>Transaction Amount Reported in Customer Statement</u>	<u>Cash Deposits</u>	<u>Cash Withdrawals</u>	<u>Transfers of Principal In</u>	<u>Transfers of Principal Out</u>	<u>Balance of Principal</u>	<u>90-Day Preferential Transfers</u>	<u>2-Year Cash Withdrawals</u>	<u>6-Year Cash Withdrawals</u>	<u>Full History Cash Withdrawals</u>
8/1/1996	W/H TAX DIV AIT	(2,570)	-	(2,570)	-	-	54,282,731	-	-	-	(2,570)
8/1/1996	W/H TAX DIV BEL	(2,798)	-	(2,798)	-	-	54,279,933	-	-	-	(2,798)
8/1/1996	W/H TAX DIV T	(4,843)	-	(4,843)	-	-	54,275,090	-	-	-	(4,843)
8/7/1996	CHECK WIRE	4,500,000	4,500,000	-	-	-	58,775,090	-	-	-	-
8/9/1996	W/H TAX DIV AXP	(983)	-	(983)	-	-	58,774,107	-	-	-	(983)
8/16/1996	W/H TAX DIV DIS	(666)	-	(666)	-	-	58,773,442	-	-	-	(666)
8/19/1996	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	(51)	-	(51)	-	-	58,773,390	-	-	-	(51)
8/19/1996	W/H TAX DIV CCI	(2,504)	-	(2,504)	-	-	58,770,886	-	-	-	(2,504)
9/3/1996	W/H TAX DIV COL	(157)	-	(157)	-	-	58,770,730	-	-	-	(157)
9/3/1996	W/H TAX DIV F	(5,206)	-	(5,206)	-	-	58,765,524	-	-	-	(5,206)
9/3/1996	W/H TAX DIV INTC	(486)	-	(486)	-	-	58,765,038	-	-	-	(486)
9/6/1996	W/H TAX DIV BA	(1,123)	-	(1,123)	-	-	58,763,915	-	-	-	(1,123)
9/9/1996	CHECK WIRE	11,200,000	11,200,000	-	-	-	69,963,915	-	-	-	-
9/10/1996	W/H TAX DIV MOB	(4,617)	-	(4,617)	-	-	69,959,298	-	-	-	(4,617)
9/10/1996	W/H TAX DIV JNJ	(3,005)	-	(3,005)	-	-	69,956,294	-	-	-	(3,005)
9/10/1996	W/H TAX DIV XON	(11,401)	-	(11,401)	-	-	69,944,893	-	-	-	(11,401)
9/10/1996	W/H TAX DIV IBM	(2,303)	-	(2,303)	-	-	69,942,590	-	-	-	(2,303)
9/10/1996	W/H TAX DIV AN	(3,767)	-	(3,767)	-	-	69,938,823	-	-	-	(3,767)
9/10/1996	W/H TAX DIV GM	(3,603)	-	(3,603)	-	-	69,935,220	-	-	-	(3,603)
9/12/1996	W/H TAX DIV DD	(3,807)	-	(3,807)	-	-	69,931,413	-	-	-	(3,807)
9/12/1996	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	(33)	-	(33)	-	-	69,931,380	-	-	-	(33)
9/12/1996	W/H TAX DIV BAC	(2,329)	-	(2,329)	-	-	69,929,051	-	-	-	(2,329)
9/13/1996	W/H TAX DIV MCD	(646)	-	(646)	-	-	69,928,405	-	-	-	(646)
9/13/1996	W/H TAX DIV ARC	(520)	-	(520)	-	-	69,927,885	-	-	-	(520)
9/20/1996	W/H TAX DIV AIG	(573)	-	(573)	-	-	69,927,312	-	-	-	(573)
9/27/1996	W/H TAX DIV PEP	(2,265)	-	(2,265)	-	-	69,925,047	-	-	-	(2,265)
10/1/1996	W/H TAX DIV MRK	(6,199)	-	(6,199)	-	-	69,918,848	-	-	-	(6,199)
10/1/1996	W/H TAX DIV KO	(4,616)	-	(4,616)	-	-	69,914,232	-	-	-	(4,616)
10/1/1996	W/H TAX DIV EK	(1,723)	-	(1,723)	-	-	69,912,509	-	-	-	(1,723)
10/7/1996	W/H TAX DIV WMT	(1,506)	-	(1,506)	-	-	69,911,003	-	-	-	(1,506)
10/8/1996	CHECK WIRE	6,500,000	6,500,000	-	-	-	76,411,003	-	-	-	-
10/15/1996	W/H TAX DIV C	(523)	-	(523)	-	-	76,410,480	-	-	-	(523)
10/15/1996	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	(7)	-	(7)	-	-	76,410,473	-	-	-	(7)
11/1/1996	W/H TAX DIV T	(6,617)	-	(6,617)	-	-	76,403,856	-	-	-	(6,617)
11/7/1996	CHECK WIRE	9,000,000	9,000,000	-	-	-	85,403,856	-	-	-	-
11/8/1996	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	(16)	-	(16)	-	-	85,403,840	-	-	-	(16)
11/19/1996	W/H TAX DIV CCI	(1,752)	-	(1,752)	-	-	85,402,088	-	-	-	(1,752)
12/2/1996	W/H TAX DIV F	(3,787)	-	(3,787)	-	-	85,398,302	-	-	-	(3,787)
12/2/1996	W/H TAX DIV INTC	(369)	-	(369)	-	-	85,397,933	-	-	-	(369)
12/5/1996	CHECK WIRE	9,500,000	9,500,000	-	-	-	94,897,933	-	-	-	-
12/6/1996	W/H TAX DIV BA	(1,615)	-	(1,615)	-	-	94,896,318	-	-	-	(1,615)
12/10/1996	W/H TAX DIV MOB	(3,278)	-	(3,278)	-	-	94,893,040	-	-	-	(3,278)
12/10/1996	W/H TAX DIV JNJ	(4,187)	-	(4,187)	-	-	94,888,853	-	-	-	(4,187)
12/10/1996	W/H TAX DIV IBM	(1,506)	-	(1,506)	-	-	94,887,347	-	-	-	(1,506)
12/10/1996	W/H TAX DIV XON	(16,270)	-	(16,270)	-	-	94,871,077	-	-	-	(16,270)
12/10/1996	W/H TAX DIV AN	(2,664)	-	(2,664)	-	-	94,868,413	-	-	-	(2,664)
12/10/1996	W/H TAX DIV GM	(4,942)	-	(4,942)	-	-	94,863,471	-	-	-	(4,942)
12/12/1996	W/H TAX DIV MTC	(1,451)	-	(1,451)	-	-	94,862,020	-	-	-	(1,451)
12/12/1996	W/H TAX DIV BAC	(3,225)	-	(3,225)	-	-	94,858,795	-	-	-	(3,225)
12/12/1996	W/H TAX DIV MMM	(3,431)	-	(3,431)	-	-	94,855,364	-	-	-	(3,431)
12/13/1996	W/H TAX DIV MCD	(865)	-	(865)	-	-	94,854,499	-	-	-	(865)
12/16/1996	W/H TAX DIV KO	(5,098)	-	(5,098)	-	-	94,849,402	-	-	-	(5,098)
12/16/1996	W/H TAX DIV DD	(5,400)	-	(5,400)	-	-	94,844,002	-	-	-	(5,400)
12/18/1996	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	(22)	-	(22)	-	-	94,843,980	-	-	-	(22)
12/20/1996	W/H TAX DIV AIG	(783)	-	(783)	-	-	94,843,197	-	-	-	(783)
1/2/1997	W/H TAX DIV PEP	(2,960)	-	(2,960)	-	-	94,840,237	-	-	-	(2,960)
1/2/1997	W/H TAX DIV EK	(2,307)	-	(2,307)	-	-	94,837,930	-	-	-	(2,307)
1/2/1997	W/H TAX DIV MRK	(8,156)	-	(8,156)	-	-	94,829,774	-	-	-	(8,156)
1/9/1997	WIRE	11,000,000	11,000,000	-	-	-	105,829,774	-	-	-	-
1/10/1997	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(2)	-	(2)	-	-	105,829,772	-	-	-	(2)
1/15/1997	W/H TAX DIV C	(4,619)	-	(4,619)	-	-	105,825,153	-	-	-	(4,619)
1/17/1997	W/H TAX DIV WMT	(1,989)	-	(1,989)	-	-	105,823,164	-	-	-	(1,989)
2/6/1997	CHECK WIRE	13,000,000	13,000,000	-	-	-	118,823,164	-	-	-	-
2/18/1997	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(40)	-	(40)	-	-	118,823,124	-	-	-	(40)
2/20/1997	W/H TAX DIV CCI	(4,830)	-	(4,830)	-	-	118,818,294	-	-	-	(4,830)
3/3/1997	W/H TAX DIV COL	(252)	-	(252)	-	-	118,818,042	-	-	-	(252)
3/3/1997	W/H TAX DIV F	(8,762)	-	(8,762)	-	-	118,809,280	-	-	-	(8,762)
3/3/1997	W/H TAX DIV INTC	(775)	-	(775)	-	-	118,808,506	-	-	-	(775)
3/7/1997	W/H TAX DIV BA	(1,898)	-	(1,898)	-	-	118,806,608	-	-	-	(1,898)
3/10/1997	CHECK WIRE	3,200,000	3,200,000	-	-	-	122,006,608	-	-	-	-

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	Transaction Description	Transaction Amount Reported in Customer Statement	Cash Deposits	Cash Withdrawals	Transfers of Principal In	Transfers of Principal Out	Balance of Principal	90-Day Preferential Transfers	2-Year Cash Withdrawals	6-Year Cash Withdrawals	Full History Cash Withdrawals
3/10/1997	W/H TAX DIV GM	(7,022)	-	(7,022)	-	-	121,999,585	-	-	-	(7,022)
3/10/1997	W/H TAX DIV XON	(18,745)	-	(18,745)	-	-	121,980,840	-	-	-	(18,745)
3/10/1997	W/H TAX DIV MOB	(8,212)	-	(8,212)	-	-	121,972,628	-	-	-	(8,212)
3/10/1997	W/H TAX DIV IBM	(3,391)	-	(3,391)	-	-	121,969,237	-	-	-	(3,391)
3/10/1997	W/H TAX DIV AN	(6,779)	-	(6,779)	-	-	121,962,458	-	-	-	(6,779)
3/11/1997	W/H TAX DIV JNJ	(5,301)	-	(5,301)	-	-	121,957,157	-	-	-	(5,301)
3/11/1997	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(5)	-	(5)	-	-	121,957,152	-	-	-	(5)
3/12/1997	W/H TAX DIV BAC	(4,575)	-	(4,575)	-	-	121,952,577	-	-	-	(4,575)
3/12/1997	W/H TAX DIV MMM	(4,542)	-	(4,542)	-	-	121,948,035	-	-	-	(4,542)
3/14/1997	W/H TAX DIV DD	(6,073)	-	(6,073)	-	-	121,941,962	-	-	-	(6,073)
3/17/1997	TRANS TO 1FN08630 (1FN086)	(3,200,000)	-	-	-	(3,200,000)	118,741,962	-	-	-	-
3/31/1997	W/H TAX DIV PEP	(1,204)	-	(1,204)	-	-	118,740,758	-	-	-	(1,204)
4/1/1997	W/H TAX DIV KO	(2,330)	-	(2,330)	-	-	118,738,428	-	-	-	(2,330)
4/4/1997	W/H TAX DIV SLB	(2,008)	-	(2,008)	-	-	118,736,419	-	-	-	(2,008)
4/8/1997	CHECK WIRE	15,000,000	15,000,000	-	-	-	133,736,419	-	-	-	-
4/9/1997	W/H TAX DIV WMT	(1,042)	-	(1,042)	-	-	133,735,377	-	-	-	(1,042)
4/15/1997	W/H TAX DIV C	(1,991)	-	(1,991)	-	-	133,733,386	-	-	-	(1,991)
4/16/1997	W/H TAX DIV HWP	(1,604)	-	(1,604)	-	-	133,731,782	-	-	-	(1,604)
4/24/1997	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(42)	-	(42)	-	-	133,731,740	-	-	-	(42)
5/1/1997	W/H TAX DIV BMY	(5,142)	-	(5,142)	-	-	133,726,598	-	-	-	(5,142)
5/1/1997	W/H TAX DIV T	(7,005)	-	(7,005)	-	-	133,719,593	-	-	-	(7,005)
5/1/1997	W/H TAX DIV BEL	(4,204)	-	(4,204)	-	-	133,715,389	-	-	-	(4,204)
5/1/1997	W/H TAX DIV AIT	(4,154)	-	(4,154)	-	-	133,711,235	-	-	-	(4,154)
5/9/1997	CHECK WIRE	20,000,000	20,000,000	-	-	-	153,711,235	-	-	-	-
5/9/1997	W/H TAX DIV AXP	(1,429)	-	(1,429)	-	-	153,709,806	-	-	-	(1,429)
5/12/1997	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(12)	-	(12)	-	-	153,709,795	-	-	-	(12)
5/16/1997	W/H TAX DIV DIS	(1,196)	-	(1,196)	-	-	153,708,599	-	-	-	(1,196)
5/19/1997	W/H TAX DIV CCI	(2,900)	-	(2,900)	-	-	153,705,699	-	-	-	(2,900)
6/2/1997	W/H TAX DIV COL	(166)	-	(166)	-	-	153,705,533	-	-	-	(166)
6/2/1997	W/H TAX DIV INTC	(506)	-	(506)	-	-	153,705,027	-	-	-	(506)
6/2/1997	W/H TAX DIV F	(6,058)	-	(6,058)	-	-	153,698,969	-	-	-	(6,058)
6/9/1997	CHECK WIRE	27,000,000	27,000,000	-	-	-	180,698,969	-	-	-	-
6/10/1997	W/H TAX DIV MOB	(4,880)	-	(4,880)	-	-	180,694,089	-	-	-	(4,880)
6/10/1997	W/H TAX DIV IBM	(2,701)	-	(2,701)	-	-	180,691,388	-	-	-	(2,701)
6/10/1997	W/H TAX DIV AN	(4,082)	-	(4,082)	-	-	180,687,306	-	-	-	(4,082)
6/11/1997	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(33)	-	(33)	-	-	180,687,273	-	-	-	(33)
7/8/1997	CHECK WIRE	27,000,000	27,000,000	-	-	-	207,687,273	-	-	-	-
7/9/1997	W/H TAX DIV HWP	(3,959)	-	(3,959)	-	-	207,683,313	-	-	-	(3,959)
7/14/1997	W/H TAX DIV WMT	(4,381)	-	(4,381)	-	-	207,678,933	-	-	-	(4,381)
7/18/1997	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(43)	-	(43)	-	-	207,678,889	-	-	-	(43)
7/25/1997	W/H TAX DIV GE	(23,944)	-	(23,944)	-	-	207,654,946	-	-	-	(23,944)
8/1/1997	W/H TAX DIV BMY	(10,609)	-	(10,609)	-	-	207,644,337	-	-	-	(10,609)
8/1/1997	W/H TAX DIV BEL	(9,122)	-	(9,122)	-	-	207,635,215	-	-	-	(9,122)
8/1/1997	W/H TAX DIV AIT	(8,603)	-	(8,603)	-	-	207,626,612	-	-	-	(8,603)
8/1/1997	W/H TAX DIV T	(14,956)	-	(14,956)	-	-	207,611,657	-	-	-	(14,956)
8/8/1997	W/H TAX DIV AXP	(2,937)	-	(2,937)	-	-	207,608,720	-	-	-	(2,937)
8/11/1997	CHECK WIRE	12,000,000	12,000,000	-	-	-	219,608,720	-	-	-	-
8/20/1997	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(65)	-	(65)	-	-	219,608,655	-	-	-	(65)
8/22/1997	W/H TAX DIV DIS	(2,498)	-	(2,498)	-	-	219,606,157	-	-	-	(2,498)
9/8/1997	CHECK WIRE	7,000,000	7,000,000	-	-	-	226,606,157	-	-	-	-
9/12/1997	W/H TAX DIV MCD	(1,782)	-	(1,782)	-	-	226,604,375	-	-	-	(1,782)
9/12/1997	W/H TAX DIV MMM	(4,539)	-	(4,539)	-	-	226,599,836	-	-	-	(4,539)
9/19/1997	W/H TAX DIV AIG	(1,620)	-	(1,620)	-	-	226,598,216	-	-	-	(1,620)
9/23/1997	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	(1)	-	-	226,598,216	-	-	-	(1)
9/26/1997	W/H TAX DIV NB	(7,406)	-	(7,406)	-	-	226,590,810	-	-	-	(7,406)
10/1/1997	W/H TAX DIV MRK	(16,656)	-	(16,656)	-	-	226,574,154	-	-	-	(16,656)
10/1/1997	W/H TAX DIV KO	(10,364)	-	(10,364)	-	-	226,563,790	-	-	-	(10,364)
10/1/1997	W/H TAX DIV S	(2,709)	-	(2,709)	-	-	226,561,082	-	-	-	(2,709)
10/7/1997	W/H TAX DIV PEP	(5,851)	-	(5,851)	-	-	226,555,231	-	-	-	(5,851)
10/8/1997	CHECK WIRE	7,000,000	7,000,000	-	-	-	233,555,231	-	-	-	-
10/10/1997	W/H TAX DIV SLB	(2,839)	-	(2,839)	-	-	233,552,392	-	-	-	(2,839)
10/14/1997	W/H TAX DIV WMT	(4,656)	-	(4,656)	-	-	233,547,736	-	-	-	(4,656)
10/15/1997	W/H TAX DIV C	(8,412)	-	(8,412)	-	-	233,539,324	-	-	-	(8,412)
10/15/1997	W/H TAX DIV HWP	(4,240)	-	(4,240)	-	-	233,535,084	-	-	-	(4,240)
10/22/1997	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(48)	-	(48)	-	-	233,535,036	-	-	-	(48)
10/27/1997	W/H TAX DIV GE	(26,193)	-	(26,193)	-	-	233,508,843	-	-	-	(26,193)
11/3/1997	W/H TAX DIV T	(16,686)	-	(16,686)	-	-	233,492,157	-	-	-	(16,686)
11/3/1997	W/H TAX DIV AIT	(9,794)	-	(9,794)	-	-	233,482,363	-	-	-	(9,794)
11/3/1997	W/H TAX DIV BEL	(18,725)	-	(18,725)	-	-	233,463,638	-	-	-	(18,725)
11/3/1997	W/H TAX DIV BMY	(11,876)	-	(11,876)	-	-	233,451,762	-	-	-	(11,876)

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	<u>Transaction Description</u>	<u>Transaction Amount Reported in Customer Statement</u>	<u>Cash Deposits</u>	<u>Cash Withdrawals</u>	<u>Transfers of Principal In</u>	<u>Transfers of Principal Out</u>	<u>Balance of Principal</u>	<u>90-Day Preferential Transfers</u>	<u>2-Year Cash Withdrawals</u>	<u>6-Year Cash Withdrawals</u>	<u>Full History Cash Withdrawals</u>
11/10/1997	W/H TAX DIV AXP	(3,321)	-	(3,321)	-	-	233,448,441	-	-	-	(3,321)
11/13/1997	CHECK WIRE	27,500,000	27,500,000	-	-	-	260,948,441	-	-	-	-
11/20/1997	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(16)	-	(16)	-	-	260,948,425	-	-	-	(16)
11/21/1997	W/H TAX DIV DIS	(2,763)	-	(2,763)	-	-	260,945,662	-	-	-	(2,763)
12/12/1997	W/H TAX DIV MCD	(1,576)	-	(1,576)	-	-	260,944,086	-	-	-	(1,576)
12/15/1997	W/H TAX DIV KO	(9,628)	-	(9,628)	-	-	260,934,458	-	-	-	(9,628)
12/17/1997	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(11)	-	(11)	-	-	260,934,448	-	-	-	(11)
12/19/1997	W/H TAX DIV AIG	(1,433)	-	(1,433)	-	-	260,933,015	-	-	-	(1,433)
12/24/1997	W/H TAX DIV NB	(7,549)	-	(7,549)	-	-	260,925,466	-	-	-	(7,549)
1/2/1998	W/H TAX DIV MRK	(15,129)	-	(15,129)	-	-	260,910,336	-	-	-	(15,129)
1/2/1998	W/H TAX DIV PEP	(5,349)	-	(5,349)	-	-	260,904,988	-	-	-	(5,349)
1/9/1998	CHECK WIRE	19,000,000	19,000,000	-	-	-	279,904,988	-	-	-	-
1/15/1998	W/H TAX DIV C	(7,335)	-	(7,335)	-	-	279,897,652	-	-	-	(7,335)
1/20/1998	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(4)	-	(4)	-	-	279,897,648	-	-	-	(4)
2/9/1998	CHECK WIRE	25,000,000	25,000,000	-	-	-	304,897,648	-	-	-	-
2/19/1998	W/H TAX DIV CCI	(6,765)	-	(6,765)	-	-	304,890,883	-	-	-	(6,765)
2/24/1998	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(28)	-	(28)	-	-	304,890,856	-	-	-	(28)
2/25/1998	W/H TAX DIV MER	(1,765)	-	(1,765)	-	-	304,889,091	-	-	-	(1,765)
3/2/1998	W/H TAX DIV INTC	(1,302)	-	(1,302)	-	-	304,887,789	-	-	-	(1,302)
3/2/1998	W/H TAX DIV F	(13,280)	-	(13,280)	-	-	304,874,509	-	-	-	(13,280)
3/6/1998	CHECK WIRE	21,000,000	21,000,000	-	-	-	325,874,509	-	-	-	-
3/6/1998	W/H TAX DIV BA	(5,374)	-	(5,374)	-	-	325,869,135	-	-	-	(5,374)
3/10/1998	W/H TAX DIV IBM	(5,000)	-	(5,000)	-	-	325,864,135	-	-	-	(5,000)
3/10/1998	W/H TAX DIV XON	(26,531)	-	(26,531)	-	-	325,837,604	-	-	-	(26,531)
3/10/1998	W/H TAX DIV GM	(13,863)	-	(13,863)	-	-	325,823,741	-	-	-	(13,863)
3/10/1998	W/H TAX DIV AN	(14,396)	-	(14,396)	-	-	325,809,346	-	-	-	(14,396)
3/10/1998	W/H TAX DIV MOB	(11,735)	-	(11,735)	-	-	325,797,610	-	-	-	(11,735)
3/10/1998	W/H TAX DIV JNJ	(11,261)	-	(11,261)	-	-	325,786,350	-	-	-	(11,261)
3/11/1998	W/H TAX DIV BAC	(9,312)	-	(9,312)	-	-	325,777,038	-	-	-	(9,312)
3/12/1998	W/H TAX DIV MMM	(8,211)	-	(8,211)	-	-	325,768,827	-	-	-	(8,211)
3/13/1998	W/H TAX DIV ARC	(6,287)	-	(6,287)	-	-	325,762,540	-	-	-	(6,287)
3/16/1998	W/H TAX DIV DD	(13,436)	-	(13,436)	-	-	325,749,104	-	-	-	(13,436)
3/17/1998	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(50)	-	(50)	-	-	325,749,054	-	-	-	(50)
4/3/1998	W/H TAX DIV SLB	(3,599)	-	(3,599)	-	-	325,745,455	-	-	-	(3,599)
4/6/1998	W/H TAX DIV WMT	(3,563)	-	(3,563)	-	-	325,741,891	-	-	-	(3,563)
4/8/1998	CHECK WIRE	45,000,000	45,000,000	-	-	-	370,741,891	-	-	-	-
4/15/1998	W/H TAX DIV HWP	(5,796)	-	(5,796)	-	-	370,736,095	-	-	-	(5,796)
4/22/1998	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(25)	-	(25)	-	-	370,736,071	-	-	-	(25)
5/1/1998	W/H TAX DIV BMY	(15,709)	-	(15,709)	-	-	370,720,362	-	-	-	(15,709)
5/1/1998	W/H TAX DIV T	(21,785)	-	(21,785)	-	-	370,698,577	-	-	-	(21,785)
5/1/1998	W/H TAX DIV BEL	(24,122)	-	(24,122)	-	-	370,674,455	-	-	-	(24,122)
5/1/1998	W/H TAX DIV AIT	(13,763)	-	(13,763)	-	-	370,660,692	-	-	-	(13,763)
5/8/1998	CHECK WIRE	30,000,000	30,000,000	-	-	-	400,660,692	-	-	-	-
5/8/1998	W/H TAX DIV AXP	(4,280)	-	(4,280)	-	-	400,656,412	-	-	-	(4,280)
5/19/1998	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(26)	-	(26)	-	-	400,656,386	-	-	-	(26)
5/22/1998	W/H TAX DIV DIS	(4,229)	-	(4,229)	-	-	400,652,157	-	-	-	(4,229)
6/5/1998	CHECK WIRE	18,000,000	18,000,000	-	-	-	418,652,157	-	-	-	-
6/5/1998	W/H TAX DIV BA	(6,618)	-	(6,618)	-	-	418,645,539	-	-	-	(6,618)
6/9/1998	W/H TAX DIV JNJ	(15,754)	-	(15,754)	-	-	418,629,785	-	-	-	(15,754)
6/10/1998	W/H TAX DIV AN	(23,914)	-	(23,914)	-	-	418,605,871	-	-	-	-
6/10/1998	W/H TAX DIV XON	(32,975)	-	(32,975)	-	-	418,572,895	-	-	-	(32,975)
6/10/1998	W/H TAX DIV MOB	(6,476)	-	(6,476)	-	-	418,566,419	-	-	-	(6,476)
6/10/1998	W/H TAX DIV GM	(11,881)	-	(11,881)	-	-	418,554,538	-	-	-	(11,881)
6/10/1998	W/H TAX DIV IBM	(3,214)	-	(3,214)	-	-	418,551,325	-	-	-	(3,214)
6/11/1998	W/H TAX DIV BAC	(11,428)	-	(11,428)	-	-	418,539,897	-	-	-	(11,428)
6/11/1998	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	(1)	-	-	418,539,895	-	-	-	(1)
6/12/1998	W/H TAX DIV DD	(19,303)	-	(19,303)	-	-	418,520,593	-	-	-	(19,303)
6/12/1998	W/H TAX DIV MCD	(2,913)	-	(2,913)	-	-	418,517,680	-	-	-	(2,913)
6/12/1998	W/H TAX DIV MMM	(10,111)	-	(10,111)	-	-	418,507,569	-	-	-	(10,111)
6/19/1998	W/H TAX DIV AIG	(2,565)	-	(2,565)	-	-	418,505,004	-	-	-	(2,565)
6/26/1998	W/H TAX DIV NB	(16,992)	-	(16,992)	-	-	418,488,012	-	-	-	(16,992)
6/30/1998	W/H TAX DIV NT	(1,509)	-	(1,509)	-	-	418,486,503	-	-	-	(1,509)
6/30/1998	W/H TAX DIV PEP	(9,233)	-	(9,233)	-	-	418,477,269	-	-	-	(9,233)
7/1/1998	AMOCO CORP CANCEL W/H	23,914	-	23,914	-	-	418,501,184	-	-	-	-
7/1/1998	AMOCO CORP W/H TAX DIV	(11,957)	-	(11,957)	-	-	418,489,227	-	-	-	(11,957)
7/1/1998	W/H TAX DIV MRK	(25,317)	-	(25,317)	-	-	418,463,910	-	-	-	(25,317)
7/1/1998	W/H TAX DIV KO	(17,633)	-	(17,633)	-	-	418,446,277	-	-	-	(17,633)
7/9/1998	CHECK WIRE	52,000,000	52,000,000	-	-	-	470,446,277	-	-	-	-
7/9/1998	CHECK WIRE	3,000,000	3,000,000	-	-	-	473,446,277	-	-	-	-
7/10/1998	W/H TAX DIV SLB	(4,439)	-	(4,439)	-	-	473,441,838	-	-	-	(4,439)



Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	<u>Transaction Description</u>	<u>Transaction Amount</u> <u>Reported in</u> <u>Customer Statement</u>	<u>Cash</u> <u>Deposits</u>	<u>Cash</u> <u>Withdrawals</u>	<u>Transfers of</u> <u>Principal In</u>	<u>Transfers of</u> <u>Principal Out</u>	<u>Balance of</u> <u>Principal</u>	<u>90-Day</u> <u>Preferential</u> <u>Transfers</u>	<u>2-Year</u> <u>Cash</u> <u>Withdrawals</u>	<u>6-Year</u> <u>Cash</u> <u>Withdrawals</u>	<u>Full History</u> <u>Cash</u> <u>Withdrawals</u>
7/13/1998	W/H TAX DIV WMT	(8,216)	-	(8,216)	-	-	473,433,621	-	-	-	(8,216)
7/15/1998	W/H TAX DIV C	(12,307)	-	(12,307)	-	-	473,421,315	-	-	-	(12,307)
7/15/1998	W/H TAX DIV HWP	(7,996)	-	(7,996)	-	-	473,413,318	-	-	-	(7,996)
7/22/1998	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(40)	-	(40)	-	-	473,413,278	-	-	-	(40)
7/27/1998	W/H TAX DIV GE	(46,316)	-	(46,316)	-	-	473,366,962	-	-	-	(46,316)
8/3/1998	W/H TAX DIV AIT	(15,543)	-	(15,543)	-	-	473,351,420	-	-	-	(15,543)
8/3/1998	W/H TAX DIV BMY	(18,465)	-	(18,465)	-	-	473,332,954	-	-	-	(18,465)
8/3/1998	W/H TAX DIV T	(25,174)	-	(25,174)	-	-	473,307,780	-	-	-	(25,174)
8/3/1998	W/H TAX DIV BEL	(28,356)	-	(28,356)	-	-	473,279,424	-	-	-	(28,356)
8/5/1998	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(4)	-	(4)	-	-	473,279,420	-	-	-	(4)
8/7/1998	CHECK WIRE	47,000,000	47,000,000	-	-	-	520,279,420	-	-	-	-
8/10/1998	W/H TAX DIV AXP	(5,143)	-	(5,143)	-	-	520,274,277	-	-	-	(5,143)
9/4/1998	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	(1)	-	-	520,274,277	-	-	-	(1)
9/9/1998	CHECK WIRE	15,000,000	15,000,000	-	-	-	535,274,277	-	-	-	-
9/11/1998	W/H TAX DIV MCD	(2,700)	-	(2,700)	-	-	535,271,577	-	-	-	(2,700)
9/30/1998	W/H TAX DIV PEP	(3,079)	-	(3,079)	-	-	535,268,498	-	-	-	(3,079)
10/15/1998	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(12)	-	(12)	-	-	535,268,486	-	-	-	(12)
10/21/1998	CHECK WIRE	8,000,000	8,000,000	-	-	-	543,268,486	-	-	-	-
11/13/1998	CHECK WIRE	10,000,000	10,000,000	-	-	-	553,268,486	-	-	-	-
11/23/1998	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(4)	-	(4)	-	-	553,268,482	-	-	-	(4)
12/11/1998	W/H TAX DIV MCD	(1,935)	-	(1,935)	-	-	553,266,547	-	-	-	(1,935)
12/15/1998	W/H TAX DIV KO	(11,436)	-	(11,436)	-	-	553,255,111	-	-	-	(11,436)
12/18/1998	W/H TAX DIV AIG	(1,806)	-	(1,806)	-	-	553,253,305	-	-	-	(1,806)
12/22/1998	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(22)	-	(22)	-	-	553,253,283	-	-	-	(22)
12/23/1998	W/H TAX DIV BAC	(24,187)	-	(24,187)	-	-	553,229,097	-	-	-	(24,187)
1/4/1999	W/H TAX DIV PEP	(5,936)	-	(5,936)	-	-	553,223,161	-	-	-	(5,936)
1/4/1999	W/H TAX DIV MRK	(20,251)	-	(20,251)	-	-	553,202,909	-	-	-	(20,251)
1/4/1999	W/H TAX DIV ONE	(13,616)	-	(13,616)	-	-	553,189,293	-	-	-	(13,616)
1/11/1999	W/H TAX DIV WMT	(5,276)	-	(5,276)	-	-	553,184,017	-	-	-	(5,276)
1/14/1999	CHECK WIRE	7,000,000	7,000,000	-	-	-	560,184,017	-	-	-	-
1/22/1999	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(3)	-	(3)	-	-	560,184,014	-	-	-	(3)
2/1/1999	CHECK WIRE	8,000,000	8,000,000	-	-	-	568,184,014	-	-	-	-
2/9/1999	CHECK WIRE	15,000,000	15,000,000	-	-	-	583,184,014	-	-	-	-
2/16/1999	W/H TAX DIV TXN	(1,959)	-	(1,959)	-	-	583,182,055	-	-	-	(1,959)
2/16/1999	W/H TAX DIV PG	(16,320)	-	(16,320)	-	-	583,165,735	-	-	-	(16,320)
2/24/1999	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(11)	-	(11)	-	-	583,165,724	-	-	-	(11)
2/26/1999	W/H TAX DIV C	(23,101)	-	(23,101)	-	-	583,142,623	-	-	-	(23,101)
3/1/1999	W/H TAX DIV INTC	(3,775)	-	(3,775)	-	-	583,138,848	-	-	-	(3,775)
3/1/1999	W/H TAX DIV WFC	(16,830)	-	(16,830)	-	-	583,122,018	-	-	-	(16,830)
3/1/1999	W/H TAX DIV F	(31,527)	-	(31,527)	-	-	583,090,491	-	-	-	(31,527)
3/3/1999	W/H TAX DIV BA	(7,608)	-	(7,608)	-	-	583,082,882	-	-	-	(7,608)
3/4/1999	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(28)	-	(28)	-	-	583,082,854	-	-	-	(28)
3/9/1999	CHECK WIRE	15,000,000	15,000,000	-	-	-	598,082,854	-	-	-	-
3/9/1999	W/H TAX DIV JNJ	(18,681)	-	(18,681)	-	-	598,064,173	-	-	-	(18,681)
3/10/1999	W/H TAX DIV XON	(36,170)	-	(36,170)	-	-	598,028,003	-	-	-	(36,170)
3/10/1999	W/H TAX DIV IBM	(12,086)	-	(12,086)	-	-	598,015,917	-	-	-	(12,086)
3/10/1999	W/H TAX DIV GM	(18,681)	-	(18,681)	-	-	597,997,235	-	-	-	(18,681)
3/15/1999	W/H TAX DIV DD	(22,119)	-	(22,119)	-	-	597,975,116	-	-	-	(22,119)
3/31/1999	W/H TAX DIV PEP	(10,710)	-	(10,710)	-	-	597,964,406	-	-	-	(10,710)
3/31/1999	W/H TAX DIV MCD	(3,590)	-	(3,590)	-	-	597,960,816	-	-	-	(3,590)
4/1/1999	W/H TAX DIV ONE	(27,972)	-	(27,972)	-	-	597,932,845	-	-	-	(27,972)
4/1/1999	W/H TAX DIV KO	(22,155)	-	(22,155)	-	-	597,910,690	-	-	-	(22,155)
4/8/1999	CHECK WIRE	15,000,000	15,000,000	-	-	-	612,910,690	-	-	-	-
4/14/1999	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(23)	-	(23)	-	-	612,910,667	-	-	-	(23)
4/19/1999	W/H TAX DIV WMT	(12,795)	-	(12,795)	-	-	612,897,872	-	-	-	(12,795)
4/26/1999	W/H TAX DIV GE	(11,152)	-	(11,152)	-	-	612,886,719	-	-	-	(11,152)
5/5/1999	CHECK WIRE	15,000,000	15,000,000	-	-	-	627,886,719	-	-	-	-
5/5/1999	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(2)	-	(2)	-	-	627,886,717	-	-	-	(2)
5/11/1999	CHECK WIRE	7,000,000	7,000,000	-	-	-	634,886,717	-	-	-	-
5/14/1999	W/H TAX DIV PG	(3,508)	-	(3,508)	-	-	634,883,209	-	-	-	(3,508)
5/14/1999	TRANS TO 1FN08630 A/O 5/11/99 (1FN086)	(7,000,000)	-	-	-	(7,000,000)	627,883,209	-	-	-	-
5/24/1999	W/H TAX DIV TXN	(299)	-	(299)	-	-	627,882,910	-	-	-	(299)
5/28/1999	W/H TAX DIV C	(4,432)	-	(4,432)	-	-	627,878,478	-	-	-	(4,432)
6/1/1999	W/H TAX DIV F	(5,123)	-	(5,123)	-	-	627,873,354	-	-	-	(5,123)
6/1/1999	W/H TAX DIV INTC	(2,845)	-	(2,845)	-	-	627,870,510	-	-	-	(2,845)
6/1/1999	W/H TAX DIV WFC	(9,132)	-	(9,132)	-	-	627,861,377	-	-	-	(9,132)
6/1/1999	W/H TAX DIV LU	(938)	-	(938)	-	-	627,860,439	-	-	-	(938)
6/2/1999	CHECK WIRE	15,000,000	15,000,000	-	-	-	642,860,439	-	-	-	-
6/4/1999	W/H TAX DIV BA	(7,653)	-	(7,653)	-	-	642,852,786	-	-	-	(7,653)
6/8/1999	W/H TAX DIV JNJ	(20,970)	-	(20,970)	-	-	642,831,816	-	-	-	(20,970)

BLMIS ACCOUNT NO. 1FN061 - KINGATE GLOBAL FUND LTD A/C/F KINGATE GLOBAL FUND

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	<u>Transaction Description</u>	<u>Transaction Amount</u> <u>Reported in</u> <u>Customer Statement</u>	<u>Cash</u> <u>Deposits</u>	<u>Cash</u> <u>Withdrawals</u>	<u>Transfers of</u> <u>Principal In</u>	<u>Transfers of</u> <u>Principal Out</u>	<u>Balance of</u> <u>Principal</u>	<u>90-Day</u> <u>Preferential</u> <u>Transfers</u>	<u>2-Year</u> <u>Cash</u> <u>Withdrawals</u>	<u>6-Year</u> <u>Cash</u> <u>Withdrawals</u>	<u>Full History</u> <u>Cash</u> <u>Withdrawals</u>
6/10/1999	W/H TAX DIV GM	(18,417)	-	(18,417)	-	-	642,813,399	-	-	-	(18,417)
6/10/1999	W/H TAX DIV IBM	(6,182)	-	(6,182)	-	-	642,807,217	-	-	-	(6,182)
6/10/1999	W/H TAX DIV XON	(56,285)	-	(56,285)	-	-	642,750,933	-	-	-	(56,285)
6/10/1999	W/H TAX DIV MOB	(25,395)	-	(25,395)	-	-	642,725,537	-	-	-	(25,395)
6/14/1999	W/H TAX DIV DD	(23,102)	-	(23,102)	-	-	642,702,435	-	-	-	(23,102)
6/16/1999	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(35)	-	(35)	-	-	642,702,401	-	-	-	(35)
7/2/1999	CHECK WIRE	15,000,000	15,000,000	-	-	-	657,702,401	-	-	-	-
7/12/1999	W/H TAX DIV WMT	(6,825)	-	(6,825)	-	-	657,695,576	-	-	-	(6,825)
7/14/1999	W/H TAX DIV HWP	(4,992)	-	(4,992)	-	-	657,690,584	-	-	-	(4,992)
7/21/1999	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(36)	-	(36)	-	-	657,690,548	-	-	-	(36)
7/26/1999	W/H TAX DIV GE	(36,173)	-	(36,173)	-	-	657,654,375	-	-	-	(36,173)
7/29/1999	CHECK WIRE	15,000,000	15,000,000	-	-	-	672,654,375	-	-	-	-
8/2/1999	W/H TAX DIV BMY	(12,997)	-	(12,997)	-	-	672,641,379	-	-	-	(12,997)
8/2/1999	W/H TAX DIV AIT	(10,525)	-	(10,525)	-	-	672,630,853	-	-	-	(10,525)
8/2/1999	W/H TAX DIV T	(21,450)	-	(21,450)	-	-	672,609,403	-	-	-	(21,450)
8/2/1999	W/H TAX DIV BEL	(18,769)	-	(18,769)	-	-	672,590,635	-	-	-	(18,769)
8/5/1999	W/H TAX DIV AIG	(14)	-	(14)	-	-	672,590,621	-	-	-	(14)
8/10/1999	CHECK WIRE	15,000,000	15,000,000	-	-	-	687,590,621	-	-	-	-
8/10/1999	W/H TAX DIV AXP	(3,071)	-	(3,071)	-	-	687,587,550	-	-	-	(3,071)
8/16/1999	W/H TAX DIV TXN	(420)	-	(420)	-	-	687,587,130	-	-	-	(420)
8/24/1999	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(111)	-	(111)	-	-	687,587,019	-	-	-	(111)
8/27/1999	W/H TAX DIV C	(5,995)	-	(5,995)	-	-	687,581,024	-	-	-	(5,995)
9/1/1999	W/H TAX DIV INTC	(1,334)	-	(1,334)	-	-	687,579,690	-	-	-	(1,334)
9/1/1999	W/H TAX DIV WFC	(4,282)	-	(4,282)	-	-	687,575,408	-	-	-	(4,282)
9/1/1999	W/H TAX DIV LU	(791)	-	(791)	-	-	687,574,617	-	-	-	(791)
9/1/1999	W/H TAX DIV F	(7,197)	-	(7,197)	-	-	687,567,420	-	-	-	(7,197)
9/3/1999	W/H TAX DIV BA	(1,729)	-	(1,729)	-	-	687,565,690	-	-	-	(1,729)
9/7/1999	W/H TAX DIV JNJ	(9,995)	-	(9,995)	-	-	687,555,696	-	-	-	(9,995)
9/8/1999	CHECK WIRE	20,000,000	20,000,000	-	-	-	707,555,696	-	-	-	-
9/10/1999	W/H TAX DIV XON	(12,830)	-	(12,830)	-	-	707,542,865	-	-	-	(12,830)
9/10/1999	W/H TAX DIV IBM	(2,767)	-	(2,767)	-	-	707,540,098	-	-	-	(2,767)
9/10/1999	W/H TAX DIV GM	(4,118)	-	(4,118)	-	-	707,535,981	-	-	-	(4,118)
9/10/1999	W/H TAX DIV MOB	(5,633)	-	(5,633)	-	-	707,530,348	-	-	-	(5,633)
9/13/1999	W/H TAX DIV DD	(5,188)	-	(5,188)	-	-	707,525,160	-	-	-	(5,188)
9/13/1999	W/H TAX DIV MMM	(5,711)	-	(5,711)	-	-	707,519,449	-	-	-	(5,711)
9/15/1999	W/H TAX DIV MCD	(3,968)	-	(3,968)	-	-	707,515,480	-	-	-	(3,968)
9/17/1999	W/H TAX DIV AIG	(4,727)	-	(4,727)	-	-	707,510,753	-	-	-	(4,727)
9/24/1999	W/H TAX DIV BAC	(47,491)	-	(47,491)	-	-	707,463,262	-	-	-	(47,491)
9/30/1999	W/H TAX DIV PEP	(12,036)	-	(12,036)	-	-	707,451,226	-	-	-	(12,036)
9/30/1999	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(3)	-	(3)	-	-	707,451,222	-	-	-	(3)
10/1/1999	W/H TAX DIV ONE	(29,151)	-	(29,151)	-	-	707,422,072	-	-	-	(29,151)
10/1/1999	W/H TAX DIV MRK	(42,232)	-	(42,232)	-	-	707,379,840	-	-	-	(42,232)
10/1/1999	W/H TAX DIV KO	(24,056)	-	(24,056)	-	-	707,355,783	-	-	-	(24,056)
10/5/1999	CHECK WIRE	15,000,000	15,000,000	-	-	-	722,355,783	-	-	-	-
10/12/1999	W/H TAX DIV WMT	(13,485)	-	(13,485)	-	-	722,342,299	-	-	-	(13,485)
10/13/1999	W/H TAX DIV HWP	(9,923)	-	(9,923)	-	-	722,332,375	-	-	-	(9,923)
10/20/1999	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(9)	-	(9)	-	-	722,332,367	-	-	-	(9)
10/25/1999	W/H TAX DIV GE	(69,796)	-	(69,796)	-	-	722,262,571	-	-	-	(69,796)
11/1/1999	W/H TAX DIV T	(42,166)	-	(42,166)	-	-	722,220,405	-	-	-	(42,166)
11/1/1999	W/H TAX DIV BEL	(36,154)	-	(36,154)	-	-	722,184,251	-	-	-	(36,154)
11/1/1999	W/H TAX DIV BMY	(26,018)	-	(26,018)	-	-	722,158,233	-	-	-	(26,018)
11/1/1999	W/H TAX DIV AIT	(20,922)	-	(20,922)	-	-	722,137,310	-	-	-	(20,922)
11/10/1999	CHECK WIRE	10,000,000	10,000,000	-	-	-	732,137,310	-	-	-	-
11/10/1999	W/H TAX DIV AXP	(6,105)	-	(6,105)	-	-	732,131,205	-	-	-	(6,105)
11/17/1999	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(6)	-	(6)	-	-	732,131,199	-	-	-	(6)
12/3/1999	W/H TAX DIV BA	(3,223)	-	(3,223)	-	-	732,127,976	-	-	-	(3,223)
12/7/1999	W/H TAX DIV JNJ	(9,210)	-	(9,210)	-	-	732,118,766	-	-	-	(9,210)
12/8/1999	CHECK WIRE	15,000,000	15,000,000	-	-	-	747,118,766	-	-	-	-
12/10/1999	W/H TAX DIV MOB	(11,249)	-	(11,249)	-	-	747,107,517	-	-	-	(11,249)
12/10/1999	W/H TAX DIV IBM	(5,526)	-	(5,526)	-	-	747,101,991	-	-	-	(5,526)
12/10/1999	W/H TAX DIV XON	(26,774)	-	(26,774)	-	-	747,075,217	-	-	-	(26,774)
12/10/1999	W/H TAX DIV GM	(8,223)	-	(8,223)	-	-	747,066,994	-	-	-	(8,223)
12/13/1999	W/H TAX DIV MMM	(13,778)	-	(13,778)	-	-	747,053,216	-	-	-	(13,778)
12/14/1999	W/H TAX DIV DD	(8,634)	-	(8,634)	-	-	747,044,582	-	-	-	(8,634)
12/17/1999	W/H TAX DIV DIS	(10,361)	-	(10,361)	-	-	747,034,221	-	-	-	(10,361)
12/31/1999	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(32)	-	(32)	-	-	747,034,189	-	-	-	(32)
1/1/2000	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(2)	-	(2)	-	-	747,034,187	-	-	-	(2)
1/12/2000	CHECK WIRE	15,000,000	15,000,000	-	-	-	762,034,187	-	-	-	-
2/1/2000	W/H TAX DIV BEL	(14,236)	-	(14,236)	-	-	762,019,950	-	-	-	(14,236)
2/14/2000	W/H TAX DIV TXN	(2,068)	-	(2,068)	-	-	762,017,883	-	-	-	(2,068)

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	Transaction Description	Transaction Amount Reported in Customer Statement	Cash Deposits	Cash Withdrawals	Transfers of Principal In	Transfers of Principal Out	Balance of Principal	90-Day Preferential Transfers	2-Year Cash Withdrawals	6-Year Cash Withdrawals	Full History Cash Withdrawals
2/15/2000	W/H TAX DIV PG	(25,595)	-	(25,595)	-	-	761,992,288	-	-	-	(25,595)
2/24/2000	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(43)	-	(43)	-	-	761,992,245	-	-	-	(43)
2/25/2000	W/H TAX DIV C	(32,961)	-	(32,961)	-	-	761,959,284	-	-	-	(32,961)
3/1/2000	W/H TAX DIV F	(37,257)	-	(37,257)	-	-	761,922,027	-	-	-	(37,257)
3/1/2000	W/H TAX DIV WFC	(21,769)	-	(21,769)	-	-	761,900,259	-	-	-	(21,769)
3/1/2000	W/H TAX DIV INTC	(6,106)	-	(6,106)	-	-	761,894,153	-	-	-	(6,106)
3/1/2000	W/H TAX DIV LU	(3,655)	-	(3,655)	-	-	761,890,498	-	-	-	(3,655)
3/3/2000	CHECK WIRE	15,000,000	15,000,000	-	-	-	776,890,498	-	-	-	-
3/3/2000	W/H TAX DIV BA	(7,946)	-	(7,946)	-	-	776,882,552	-	-	-	(7,946)
3/7/2000	W/H TAX DIV JNJ	(23,839)	-	(23,839)	-	-	776,858,713	-	-	-	(23,839)
3/10/2000	W/H TAX DIV XOM	(92,740)	-	(92,740)	-	-	776,765,973	-	-	-	(92,740)
3/10/2000	W/H TAX DIV GM	(19,440)	-	(19,440)	-	-	776,746,533	-	-	-	(19,440)
3/10/2000	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(44)	-	(44)	-	-	776,746,490	-	-	-	(44)
3/10/2000	W/H TAX DIV IBM	(12,844)	-	(12,844)	-	-	776,733,646	-	-	-	(12,844)
3/14/2000	W/H TAX DIV DD	(22,424)	-	(22,424)	-	-	776,711,222	-	-	-	(22,424)
3/23/2000	W/H TAX DIV HD	(1,874)	-	(1,874)	-	-	776,709,348	-	-	-	(1,874)
3/31/2000	W/H TAX DIV PEP	(8,243)	-	(8,243)	-	-	776,701,105	-	-	-	(8,243)
4/3/2000	W/H TAX DIV KO	(26,272)	-	(26,272)	-	-	776,674,833	-	-	-	(26,272)
4/10/2000	W/H TAX DIV WMT	(16,977)	-	(16,977)	-	-	776,657,856	-	-	-	(16,977)
4/25/2000	W/H TAX DIV GE	(27,944)	-	(27,944)	-	-	776,629,913	-	-	-	(27,944)
4/28/2000	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(41)	-	(41)	-	-	776,629,871	-	-	-	(41)
4/28/2000	W/H TAX DIV MWD	(3,680)	-	(3,680)	-	-	776,626,192	-	-	-	(3,680)
5/12/2000	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(16)	-	(16)	-	-	776,626,175	-	-	-	(16)
5/12/2000	CHECK WIRE	(30,000,000)	-	(30,000,000)	-	-	746,626,175	-	-	-	(30,000,000)
6/1/2000	W/H TAX DIV INTC	(2,689)	-	(2,689)	-	-	746,623,486	-	-	-	(2,689)
6/1/2000	W/H TAX DIV WFC	(9,861)	-	(9,861)	-	-	746,613,625	-	-	-	(9,861)
6/12/2000	W/H TAX DIV IBM	(6,334)	-	(6,334)	-	-	746,607,292	-	-	-	(6,334)
6/12/2000	W/H TAX DIV XOM	(93,444)	-	(93,444)	-	-	746,513,848	-	-	-	(93,444)
6/12/2000	W/H TAX DIV DD	(22,026)	-	(22,026)	-	-	746,491,821	-	-	-	(22,026)
6/12/2000	W/H TAX DIV GM	(8,770)	-	(8,770)	-	-	746,483,052	-	-	-	(8,770)
6/13/2000	W/H TAX DIV JNJ	(14,450)	-	(14,450)	-	-	746,468,602	-	-	-	(14,450)
6/19/2000	TRANS FROM 1FN08630 (1FN086)	8,000,000	-	-	8,000,000	-	754,468,602	-	-	-	-
6/21/2000	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(34)	-	(34)	-	-	754,468,568	-	-	-	(34)
7/10/2000	W/H TAX DIV WMT	(4,838)	-	(4,838)	-	-	754,463,730	-	-	-	(4,838)
7/18/2000	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(13)	-	(13)	-	-	754,463,717	-	-	-	(13)
8/15/2000	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(46)	-	(46)	-	-	754,463,671	-	-	-	(46)
8/15/2000	W/H TAX DIV PG	(13,156)	-	(13,156)	-	-	754,450,514	-	-	-	(13,156)
8/21/2000	W/H TAX DIV TXN	(1,883)	-	(1,883)	-	-	754,448,631	-	-	-	(1,883)
8/24/2000	W/H TAX DIV MER	(6,756)	-	(6,756)	-	-	754,441,875	-	-	-	(6,756)
8/25/2000	W/H TAX DIV C	(34,690)	-	(34,690)	-	-	754,407,185	-	-	-	(34,690)
9/1/2000	W/H TAX DIV INTC	(7,515)	-	(7,515)	-	-	754,399,670	-	-	-	(7,515)
9/1/2000	W/H TAX DIV WFC	(19,977)	-	(19,977)	-	-	754,379,692	-	-	-	(19,977)
9/1/2000	W/H TAX DIV LU	(3,841)	-	(3,841)	-	-	754,375,851	-	-	-	(3,841)
9/8/2000	CHECK WIRE	20,000,000	20,000,000	-	-	-	774,375,851	-	-	-	-
9/11/2000	W/H TAX DIV XOM	(48,038)	-	(48,038)	-	-	774,327,814	-	-	-	(48,038)
9/11/2000	W/H TAX DIV IBM	(13,174)	-	(13,174)	-	-	774,314,639	-	-	-	(13,174)
9/15/2000	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(106)	-	(106)	-	-	774,314,533	-	-	-	(106)
10/2/2000	W/H TAX DIV KO	(13,902)	-	(13,902)	-	-	774,300,631	-	-	-	(13,902)
10/3/2000	CHECK WIRE	20,000,000	20,000,000	-	-	-	794,300,631	-	-	-	-
10/5/2000	W/H TAX DIV AV	(2)	-	(2)	-	-	794,300,629	-	-	-	(2)
10/10/2000	W/H TAX DIV WMT	(8,903)	-	(8,903)	-	-	794,291,726	-	-	-	(8,903)
10/11/2000	W/H TAX DIV HWP	(9,404)	-	(9,404)	-	-	794,282,321	-	-	-	(9,404)
10/18/2000	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(6)	-	(6)	-	-	794,282,315	-	-	-	(6)
10/25/2000	W/H TAX DIV GE	(79,768)	-	(79,768)	-	-	794,202,547	-	-	-	(79,768)
10/27/2000	W/H TAX DIV MWD	(13,487)	-	(13,487)	-	-	794,189,060	-	-	-	(13,487)
11/1/2000	W/H TAX DIV VZ	(61,893)	-	(61,893)	-	-	794,127,167	-	-	-	(61,893)
11/1/2000	W/H TAX DIV PHA	(9,049)	-	(9,049)	-	-	794,118,118	-	-	-	(9,049)
11/1/2000	W/H TAX DIV BMY	(28,634)	-	(28,634)	-	-	794,089,484	-	-	-	(28,634)
11/1/2000	W/H TAX DIV T	(49,371)	-	(49,371)	-	-	794,040,113	-	-	-	(49,371)
11/6/2000	CHECK WIRE	20,000,000	20,000,000	-	-	-	814,040,113	-	-	-	-
11/10/2000	W/H TAX DIV AXP	(6,281)	-	(6,281)	-	-	814,033,832	-	-	-	(6,281)
11/17/2000	CHECK WIRE	20,000,000	20,000,000	-	-	-	834,033,832	-	-	-	-
12/12/2000	W/H TAX DIV JNJ	(5,904)	-	(5,904)	-	-	834,027,928	-	-	-	(5,904)
12/18/2000	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(71)	-	(71)	-	-	834,027,857	-	-	-	(71)
12/26/2000	CHECK WIRE	20,000,000	20,000,000	-	-	-	854,027,857	-	-	-	-
1/4/2001	CHECK WIRE	30,000,000	30,000,000	-	-	-	884,027,857	-	-	-	-
1/18/2001	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(22)	-	(22)	-	-	884,027,835	-	-	-	(22)
1/26/2001	CHECK WIRE	60,000,000	60,000,000	-	-	-	944,027,835	-	-	-	-
1/30/2001	W/H TAX DIV MWD	(7,665)	-	(7,665)	-	-	944,020,170	-	-	-	(7,665)
2/1/2001	W/H TAX DIV PHA	(4,856)	-	(4,856)	-	-	944,015,314	-	-	-	(4,856)

BLMIS ACCOUNT NO. 1FN061 - KINGATE GLOBAL FUND LTD A/C/F KINGATE GLOBAL FUND

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	<u>Transaction Description</u>	<u>Transaction Amount</u> <u>Reported in</u> <u>Customer Statement</u>	<u>Cash</u> <u>Deposits</u>	<u>Cash</u> <u>Withdrawals</u>	<u>Transfers of</u> <u>Principal In</u>	<u>Transfers of</u> <u>Principal Out</u>	<u>Balance of</u> <u>Principal</u>	<u>90-Day</u> <u>Preferential</u> <u>Transfers</u>	<u>2-Year</u> <u>Cash</u> <u>Withdrawals</u>	<u>6-Year</u> <u>Cash</u> <u>Withdrawals</u>	<u>Full History</u> <u>Cash</u> <u>Withdrawals</u>
2/1/2001	W/H TAX DIV VZ	(32,077)	-	(32,077)	-	-	943,983,236	-	-	-	(32,077)
2/12/2001	W/H TAX DIV TXN	(2,765)	-	(2,765)	-	-	943,980,472	-	-	-	(2,765)
2/15/2001	W/H TAX DIV PG	(20,719)	-	(20,719)	-	-	943,959,753	-	-	-	(20,719)
2/22/2001	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(6)	-	(6)	-	-	943,959,747	-	-	-	(6)
2/23/2001	W/H TAX DIV C	(51,536)	-	(51,536)	-	-	943,908,211	-	-	-	(51,536)
3/1/2001	W/H TAX DIV INTC	(10,241)	-	(10,241)	-	-	943,897,970	-	-	-	(10,241)
3/1/2001	W/H TAX DIV WFC	(29,552)	-	(29,552)	-	-	943,868,418	-	-	-	(29,552)
3/1/2001	W/H TAX DIV LU	(2,875)	-	(2,875)	-	-	943,865,543	-	-	-	(2,875)
3/8/2001	W/H TAX DIV PFE	(53,000)	-	(53,000)	-	-	943,812,544	-	-	-	(53,000)
3/9/2001	W/H TAX DIV XOM	(110,378)	-	(110,378)	-	-	943,702,165	-	-	-	(110,378)
3/12/2001	W/H TAX DIV IBM	(17,469)	-	(17,469)	-	-	943,684,697	-	-	-	(17,469)
3/13/2001	W/H TAX DIV JNJ	(14,112)	-	(14,112)	-	-	943,670,585	-	-	-	(14,112)
3/19/2001	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(10)	-	(10)	-	-	943,670,575	-	-	-	(10)
3/22/2001	W/H TAX DIV HD	(1,530)	-	(1,530)	-	-	943,669,045	-	-	-	(1,530)
3/30/2001	W/H TAX DIV PEP	(3,508)	-	(3,508)	-	-	943,665,537	-	-	-	(3,508)
4/2/2001	W/H TAX DIV KO	(7,359)	-	(7,359)	-	-	943,658,178	-	-	-	(7,359)
4/2/2001	W/H TAX DIV MRK	(12,555)	-	(12,555)	-	-	943,645,623	-	-	-	(12,555)
4/9/2001	W/H TAX DIV WMT	(20,021)	-	(20,021)	-	-	943,625,602	-	-	-	(20,021)
4/11/2001	W/H TAX DIV HWP	(10,494)	-	(10,494)	-	-	943,615,108	-	-	-	(10,494)
4/24/2001	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(23)	-	(23)	-	-	943,615,085	-	-	-	(23)
4/27/2001	W/H TAX DIV MWD	(16,386)	-	(16,386)	-	-	943,598,699	-	-	-	(16,386)
4/30/2001	W/H TAX DIV JPM	(41,205)	-	(41,205)	-	-	943,557,493	-	-	-	(41,205)
5/1/2001	W/H TAX DIV T	(9,089)	-	(9,089)	-	-	943,548,404	-	-	-	(9,089)
5/1/2001	W/H TAX DIV BMY	(34,339)	-	(34,339)	-	-	943,514,065	-	-	-	(34,339)
5/1/2001	W/H TAX DIV VZ	(67,304)	-	(67,304)	-	-	943,446,762	-	-	-	(67,304)
5/1/2001	W/H TAX DIV PHA	(10,031)	-	(10,031)	-	-	943,436,731	-	-	-	(10,031)
5/2/2001	W/H TAX DIV TYC	(1,436)	-	(1,436)	-	-	943,435,295	-	-	-	(1,436)
5/10/2001	W/H TAX DIV AXP	(6,793)	-	(6,793)	-	-	943,428,502	-	-	-	(6,793)
5/15/2001	W/H TAX DIV PG	(29,257)	-	(29,257)	-	-	943,399,245	-	-	-	(29,257)
6/20/2001	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(20)	-	(20)	-	-	943,399,225	-	-	-	(20)
7/9/2001	W/H TAX DIV WMT	(16,647)	-	(16,647)	-	-	943,382,578	-	-	-	(16,647)
7/11/2001	W/H TAX DIV XOM	(1,618)	-	(1,618)	-	-	943,380,960	-	-	-	(1,618)
7/11/2001	W/H TAX DIV HWP	(3,612)	-	(3,612)	-	-	943,377,348	-	-	-	(3,612)
7/23/2001	W/H TAX DIV MWD	(23,101)	-	(23,101)	-	-	943,354,247	-	-	-	(23,101)
7/25/2001	W/H TAX DIV GE	(140,021)	-	(140,021)	-	-	943,214,225	-	-	-	(140,021)
7/25/2001	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(21)	-	(21)	-	-	943,214,205	-	-	-	(21)
7/31/2001	W/H TAX DIV JPM	(59,963)	-	(59,963)	-	-	943,154,242	-	-	-	(59,963)
8/1/2001	W/H TAX DIV PHA	(15,648)	-	(15,648)	-	-	943,138,594	-	-	-	(15,648)
8/1/2001	W/H TAX DIV BMY	(46,063)	-	(46,063)	-	-	943,092,531	-	-	-	(46,063)
8/1/2001	W/H TAX DIV TYC	(2,064)	-	(2,064)	-	-	943,090,467	-	-	-	(2,064)
8/1/2001	W/H TAX DIV VZ	(91,358)	-	(91,358)	-	-	942,999,109	-	-	-	(91,358)
8/10/2001	W/H TAX DIV AXP	(9,492)	-	(9,492)	-	-	942,989,617	-	-	-	(9,492)
8/15/2001	W/H TAX DIV PG	(19,884)	-	(19,884)	-	-	942,969,733	-	-	-	(19,884)
8/24/2001	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(4)	-	(4)	-	-	942,969,728	-	-	-	(4)
9/13/2001	W/H TAX DIV HD	(8,762)	-	(8,762)	-	-	942,960,967	-	-	-	(8,762)
9/28/2001	W/H TAX DIV PEP	(24,181)	-	(24,181)	-	-	942,936,786	-	-	-	(24,181)
9/28/2001	W/H TAX DIV BAC	(83,600)	-	(83,600)	-	-	942,853,186	-	-	-	(83,600)
10/1/2001	W/H TAX DIV KO	(41,651)	-	(41,651)	-	-	942,811,535	-	-	-	(41,651)
10/1/2001	W/H TAX DIV MRK	(75,763)	-	(75,763)	-	-	942,735,772	-	-	-	(75,763)
10/9/2001	W/H TAX DIV WMT	(29,441)	-	(29,441)	-	-	942,706,332	-	-	-	(29,441)
10/10/2001	W/H TAX DIV HWP	(14,742)	-	(14,742)	-	-	942,691,590	-	-	-	(14,742)
10/15/2001	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(20)	-	(20)	-	-	942,691,570	-	-	-	(20)
10/25/2001	W/H TAX DIV GE	(150,520)	-	(150,520)	-	-	942,541,050	-	-	-	(150,520)
10/26/2001	W/H TAX DIV MWD	(24,629)	-	(24,629)	-	-	942,516,422	-	-	-	(24,629)
10/31/2001	W/H TAX DIV JPM	(63,447)	-	(63,447)	-	-	942,452,975	-	-	-	(63,447)
11/1/2001	W/H TAX DIV PHA	(16,123)	-	(16,123)	-	-	942,436,852	-	-	-	(16,123)
11/1/2001	W/H TAX DIV VZ	(97,708)	-	(97,708)	-	-	942,339,145	-	-	-	(97,708)
11/1/2001	W/H TAX DIV TYC	(2,303)	-	(2,303)	-	-	942,336,841	-	-	-	(2,303)
11/1/2001	W/H TAX DIV T	(12,229)	-	(12,229)	-	-	942,324,613	-	-	-	(12,229)
11/1/2001	W/H TAX DIV BMY	(50,607)	-	(50,607)	-	-	942,274,005	-	-	-	(50,607)
11/9/2001	W/H TAX DIV AXP	(9,965)	-	(9,965)	-	-	942,264,041	-	-	-	(9,965)
11/15/2001	W/H TAX DIV PG	(45,383)	-	(45,383)	-	-	942,218,658	-	-	-	(45,383)
11/19/2001	W/H TAX DIV TXN	(3,544)	-	(3,544)	-	-	942,215,113	-	-	-	(3,544)
11/19/2001	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(5)	-	(5)	-	-	942,215,108	-	-	-	(5)
11/21/2001	W/H TAX DIV C	(76,061)	-	(76,061)	-	-	942,139,047	-	-	-	(76,061)
12/3/2001	W/H TAX DIV WFC	(42,089)	-	(42,089)	-	-	942,096,958	-	-	-	(42,089)
12/3/2001	W/H TAX DIV INTC	(12,895)	-	(12,895)	-	-	942,084,064	-	-	-	(12,895)
12/3/2001	W/H TAX DIV MCD	(26,310)	-	(26,310)	-	-	942,057,754	-	-	-	(26,310)
12/6/2001	W/H TAX DIV PFE	(42,998)	-	(42,998)	-	-	942,014,756	-	-	-	(42,998)
12/10/2001	W/H TAX DIV IBM	(22,990)	-	(22,990)	-	-	941,991,766	-	-	-	(22,990)

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
		<u>Transaction Amount</u>									
	<u>Transaction</u>	<u>Reported in</u>	<u>Cash</u>	<u>Cash</u>	<u>Transfers of</u>	<u>Transfers of</u>	<u>Balance of</u>	<u>90-Day</u>	<u>2-Year</u>	<u>6-Year</u>	<u>Full History</u>
<u>Date</u>	<u>Description</u>	<u>Customer Statement</u>	<u>Deposits</u>	<u>Withdrawals</u>	<u>Principal In</u>	<u>Principal Out</u>	<u>Principal</u>	<u>Preferential</u>	<u>Cash</u>	<u>Cash</u>	<u>Cash</u>
								<u>Transfers</u>	<u>Withdrawals</u>	<u>Withdrawals</u>	<u>Withdrawals</u>
12/10/2001	W/H TAX DIV XOM	(150,590)	-	(150,590)	-	-	941,841,176	-	-	-	(150,590)
12/14/2001	W/H TAX DIV DD	(33,253)	-	(33,253)	-	-	941,807,923	-	-	-	(33,253)
12/31/2001	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(14)	-	(14)	-	-	941,807,909	-	-	-	(14)
1/7/2002	W/H TAX DIV WMT	(5,432)	-	(5,432)	-	-	941,802,477	-	-	-	(5,432)
1/10/2002	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(6)	-	(6)	-	-	941,802,471	-	-	-	(6)
1/25/2002	W/H TAX DIV MWD	(17,463)	-	(17,463)	-	-	941,785,008	-	-	-	(17,463)
2/1/2002	W/H TAX DIV PHA	(11,827)	-	(11,827)	-	-	941,773,181	-	-	-	(11,827)
2/1/2002	W/H TAX DIV VZ	(71,057)	-	(71,057)	-	-	941,702,124	-	-	-	(71,057)
2/1/2002	W/H TAX DIV SBC	(58,820)	-	(58,820)	-	-	941,643,304	-	-	-	(58,820)
2/11/2002	W/H TAX DIV TXN	(3,362)	-	(3,362)	-	-	941,639,943	-	-	-	(3,362)
2/15/2002	W/H TAX DIV PG	(44,587)	-	(44,587)	-	-	941,595,356	-	-	-	(44,587)
2/21/2002	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(18)	-	(18)	-	-	941,595,338	-	-	-	(18)
2/22/2002	W/H TAX DIV C	(74,348)	-	(74,348)	-	-	941,520,991	-	-	-	(74,348)
3/1/2002	W/H TAX DIV WFC	(40,675)	-	(40,675)	-	-	941,480,315	-	-	-	(40,675)
3/1/2002	W/H TAX DIV INTC	(12,544)	-	(12,544)	-	-	941,467,771	-	-	-	(12,544)
3/6/2002	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	(1)	-	-	941,467,770	-	-	-	(1)
3/7/2002	W/H TAX DIV PFE	(74,564)	-	(74,564)	-	-	941,393,206	-	-	-	(74,564)
3/11/2002	W/H TAX DIV BUD	(16,033)	-	(16,033)	-	-	941,377,173	-	-	-	(16,033)
3/11/2002	W/H TAX DIV IBM	(21,902)	-	(21,902)	-	-	941,355,271	-	-	-	(21,902)
3/11/2002	W/H TAX DIV XOM	(143,577)	-	(143,577)	-	-	941,211,694	-	-	-	(143,577)
3/12/2002	W/H TAX DIV JNJ	(31,229)	-	(31,229)	-	-	941,180,465	-	-	-	(31,229)
3/14/2002	W/H TAX DIV DD	(32,853)	-	(32,853)	-	-	941,147,611	-	-	-	(32,853)
3/15/2002	W/H TAX DIV AIG	(4,553)	-	(4,553)	-	-	941,143,058	-	-	-	(4,553)
3/22/2002	W/H TAX DIV BAC	(39,749)	-	(39,749)	-	-	941,103,309	-	-	-	(39,749)
3/28/2002	W/H TAX DIV HD	(11,143)	-	(11,143)	-	-	941,092,166	-	-	-	(11,143)
4/1/2002	W/H TAX DIV MRK	(77,562)	-	(77,562)	-	-	941,014,604	-	-	-	(77,562)
4/1/2002	W/H TAX DIV PEP	(24,190)	-	(24,190)	-	-	940,990,414	-	-	-	(24,190)
4/1/2002	W/H TAX DIV KO	(48,381)	-	(48,381)	-	-	940,942,033	-	-	-	(48,381)
4/1/2002	W/H TAX DIV ONE	(13,040)	-	(13,040)	-	-	940,928,993	-	-	-	(13,040)
4/10/2002	W/H TAX DIV MO	(120,952)	-	(120,952)	-	-	940,808,041	-	-	-	(120,952)
4/18/2002	W/H TAX DIV WMT	(32,354)	-	(32,354)	-	-	940,775,687	-	-	-	(32,354)
4/23/2002	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(11)	-	(11)	-	-	940,775,676	-	-	-	(11)
4/25/2002	W/H TAX DIV GE	(75,667)	-	(75,667)	-	-	940,700,009	-	-	-	(75,667)
4/26/2002	W/H TAX DIV MWD	(24,387)	-	(24,387)	-	-	940,675,622	-	-	-	(24,387)
4/26/2002	W/H TAX DIV MDT	(6,715)	-	(6,715)	-	-	940,668,907	-	-	-	(6,715)
4/30/2002	W/H TAX DIV JPM	(65,231)	-	(65,231)	-	-	940,603,677	-	-	-	(65,231)
5/1/2002	W/H TAX DIV PHA	(16,892)	-	(16,892)	-	-	940,586,785	-	-	-	(16,892)
5/1/2002	W/H TAX DIV TYC	(2,443)	-	(2,443)	-	-	940,584,342	-	-	-	(2,443)
5/1/2002	W/H TAX DIV VZ	(101,855)	-	(101,855)	-	-	940,482,487	-	-	-	(101,855)
5/1/2002	W/H TAX DIV SBC	(88,162)	-	(88,162)	-	-	940,394,326	-	-	-	(88,162)
5/1/2002	W/H TAX DIV BMY	(52,718)	-	(52,718)	-	-	940,341,607	-	-	-	(52,718)
5/1/2002	W/H TAX DIV T	(12,825)	-	(12,825)	-	-	940,328,782	-	-	-	(12,825)
5/10/2002	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(5)	-	(5)	-	-	940,328,778	-	-	-	(5)
5/15/2002	W/H TAX DIV PG	(25,106)	-	(25,106)	-	-	940,303,671	-	-	-	(25,106)
5/24/2002	W/H TAX DIV C	(49,647)	-	(49,647)	-	-	940,254,024	-	-	-	(49,647)
6/3/2002	W/H TAX DIV INTC	(7,042)	-	(7,042)	-	-	940,246,982	-	-	-	(7,042)
6/3/2002	W/H TAX DIV WFC	(51,300)	-	(51,300)	-	-	940,195,682	-	-	-	(51,300)
6/6/2002	W/H TAX DIV PFE	(89,331)	-	(89,331)	-	-	940,106,350	-	-	-	(89,331)
6/10/2002	W/H TAX DIV XOM	(170,666)	-	(170,666)	-	-	939,935,685	-	-	-	(170,666)
6/10/2002	W/H TAX DIV IBM	(28,542)	-	(28,542)	-	-	939,907,143	-	-	-	(28,542)
6/10/2002	W/H TAX DIV BUD	(12,594)	-	(12,594)	-	-	939,894,549	-	-	-	(12,594)
6/11/2002	W/H TAX DIV JNJ	(24,505)	-	(24,505)	-	-	939,870,044	-	-	-	(24,505)
6/12/2002	W/H TAX DIV DD	(28,441)	-	(28,441)	-	-	939,841,603	-	-	-	(28,441)
6/25/2002	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(6)	-	(6)	-	-	939,841,597	-	-	-	(6)
7/10/2002	W/H TAX DIV MO	(20,680)	-	(20,680)	-	-	939,820,918	-	-	-	(20,680)
7/15/2002	W/H TAX DIV USB	(6,663)	-	(6,663)	-	-	939,814,255	-	-	-	(6,663)
7/19/2002	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(2)	-	(2)	-	-	939,814,253	-	-	-	(2)
7/25/2002	W/H TAX DIV GE	(31,822)	-	(31,822)	-	-	939,782,431	-	-	-	(31,822)
7/26/2002	W/H TAX DIV MDT	(1,300)	-	(1,300)	-	-	939,781,131	-	-	-	(1,300)
7/26/2002	W/H TAX DIV MWD	(4,442)	-	(4,442)	-	-	939,776,689	-	-	-	(4,442)
7/26/2002	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(0)	-	(0)	-	-	939,776,689	-	-	-	(0)
7/31/2002	W/H TAX DIV JPM	(12,123)	-	(12,123)	-	-	939,764,567	-	-	-	(12,123)
8/1/2002	W/H TAX DIV T	(2,507)	-	(2,507)	-	-	939,762,060	-	-	-	(2,507)
8/1/2002	W/H TAX DIV PHA	(3,008)	-	(3,008)	-	-	939,759,051	-	-	-	(3,008)
8/1/2002	W/H TAX DIV BMY	(9,567)	-	(9,567)	-	-	939,749,484	-	-	-	(9,567)
8/1/2002	W/H TAX DIV SBC	(15,643)	-	(15,643)	-	-	939,733,841	-	-	-	(15,643)
8/1/2002	W/H TAX DIV VZ	(18,303)	-	(18,303)	-	-	939,715,538	-	-	-	(18,303)
8/9/2002	W/H TAX DIV AXP	(1,783)	-	(1,783)	-	-	939,713,755	-	-	-	(1,783)
8/19/2002	W/H TAX DIV MON	(3)	-	(3)	-	-	939,713,753	-	-	-	(3)
8/19/2002	W/H TAX DIV TXN	(5,066)	-	(5,066)	-	-	939,708,686	-	-	-	(5,066)

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	Transaction Description	Transaction Amount Reported in Customer Statement	Cash Deposits	Cash Withdrawals	Transfers of Principal In	Transfers of Principal Out	Balance of Principal	90-Day Preferential Transfers	2-Year Cash Withdrawals	6-Year Cash Withdrawals	Full History Cash Withdrawals
8/23/2002	W/H TAX DIV C	(132,031)	-	(132,031)	-	-	939,576,655	-	-	-	(132,031)
8/26/2002	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(10)	-	(10)	-	-	939,576,645	-	-	-	(10)
9/3/2002	W/H TAX DIV INTC	(18,570)	-	(18,570)	-	-	939,558,076	-	-	-	(18,570)
9/3/2002	W/H TAX DIV WFC	(66,753)	-	(66,753)	-	-	939,491,323	-	-	-	(66,753)
9/5/2002	W/H TAX DIV PFE	(113,699)	-	(113,699)	-	-	939,377,624	-	-	-	(113,699)
9/5/2002	W/H TAX DIV G	(23,244)	-	(23,244)	-	-	939,354,379	-	-	-	(23,244)
9/6/2002	W/H TAX DIV BA	(19,526)	-	(19,526)	-	-	939,334,854	-	-	-	(19,526)
9/9/2002	W/H TAX DIV BUD	(23,244)	-	(23,244)	-	-	939,311,609	-	-	-	(23,244)
9/10/2002	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(6)	-	(6)	-	-	939,311,604	-	-	-	(6)
9/10/2002	W/H TAX DIV JNJ	(27,751)	-	(27,751)	-	-	939,283,853	-	-	-	(27,751)
9/10/2002	W/H TAX DIV XOM	(214,848)	-	(214,848)	-	-	939,069,005	-	-	-	(214,848)
9/10/2002	W/H TAX DIV IBM	(35,109)	-	(35,109)	-	-	939,033,896	-	-	-	(35,109)
9/12/2002	W/H TAX DIV DD	(47,444)	-	(47,444)	-	-	938,986,453	-	-	-	(47,444)
10/17/2002	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(22)	-	(22)	-	-	938,986,430	-	-	-	(22)
11/15/2002	W/H TAX DIV PG	(27,438)	-	(27,438)	-	-	938,958,992	-	-	-	(27,438)
11/15/2002	W/H TAX DIV CL	(7,909)	-	(7,909)	-	-	938,951,083	-	-	-	(7,909)
11/18/2002	W/H TAX DIV TXN	(2,807)	-	(2,807)	-	-	938,948,276	-	-	-	(2,807)
11/22/2002	W/H TAX DIV C	(69,969)	-	(69,969)	-	-	938,878,307	-	-	-	(69,969)
11/25/2002	W/H TAX DIV GS	(4,394)	-	(4,394)	-	-	938,873,913	-	-	-	(4,394)
11/25/2002	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(8)	-	(8)	-	-	938,873,905	-	-	-	(8)
11/27/2002	W/H TAX DIV MER	(10,952)	-	(10,952)	-	-	938,862,953	-	-	-	(10,952)
1/6/2003	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
1/6/2003	W/H TAX DIV G	(13,456)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
1/6/2003	W/H TAX DIV BA	(7,955)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
1/6/2003	W/H TAX DIV PFE	(44,612)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
1/6/2003	W/H TAX DIV DD	(19,458)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
1/6/2003	W/H TAX DIV BUD	(13,291)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
1/6/2003	W/H TAX DIV HCA	(879)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
1/6/2003	W/H TAX DIV INTC	(10,455)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
1/6/2003	W/H TAX DIV WFC	(37,538)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
1/6/2003	W/H TAX DIV XOM	(121,202)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
1/6/2003	W/H TAX DIV JNJ	(12,832)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
1/6/2003	W/H TAX DIV UTX	(6,369)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
1/6/2003	W/H TAX DIV IBM	(19,816)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
1/10/2003	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(2)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
1/31/2003	W/H TAX DIV MWD	(17,029)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
2/3/2003	W/H TAX DIV SBC	(61,643)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
2/3/2003	W/H TAX DIV VZ	(72,453)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
2/3/2003	W/H TAX DIV PHA	(21,283)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
2/10/2003	W/H TAX DIV TXN	(4,481)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
2/14/2003	W/H TAX DIV PFE	(113,064)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
2/14/2003	W/H TAX DIV CL	(12,162)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
2/14/2003	W/H TAX DIV PG	(64,639)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
2/27/2003	W/H TAX DIV GS	(6,757)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
2/28/2003	W/H TAX DIV MER	(16,711)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
2/28/2003	W/H TAX DIV C	(126,744)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/3/2003	W/H TAX DIV INTC	(16,318)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/3/2003	W/H TAX DIV WFC	(62,449)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/5/2003	W/H 1/31/03G	(21,017)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/7/2003	W/H TAX DIV BA	(17,229)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/7/2003	W/H TAX DIV MSFT	(82,191)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/10/2003	W/H TAX DIV IBM	(30,866)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/10/2003	W/H TAX DIV XOM	(189,623)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/10/2003	W/H TAX DIV UTX	(13,795)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/10/2003	W/H TAX DIV BUD	(19,763)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/11/2003	W/H TAX DIV JNJ	(74,358)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/12/2003	W/H TAX DIV MMM	(23,189)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/14/2003	W/H TAX DIV DD	(43,355)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/17/2003	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(61)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
4/7/2003	W/H TAX DIV WMT	(54,596)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
4/9/2003	W/H TAX DIV HPQ	(34,427)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	<u>Transaction Description</u>	<u>Transaction Amount</u> <u>Reported in</u> <u>Customer Statement</u>	<u>Cash</u> <u>Deposits</u>	<u>Cash</u> <u>Withdrawals</u>	<u>Transfers of</u> <u>Principal In</u>	<u>Transfers of</u> <u>Principal Out</u>	<u>Balance of</u> <u>Principal</u>	<u>90-Day</u> <u>Preferential</u> <u>Transfers</u>	<u>2-Year</u> <u>Cash</u> <u>Withdrawals</u>	<u>6-Year</u> <u>Cash</u> <u>Withdrawals</u>	<u>Full History</u> <u>Cash</u> <u>Withdrawals</u>
4/15/2003	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(23)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
5/9/2003	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(18)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
5/19/2003	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(5)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
5/28/2003	W/H TAX DIV MER	(13,449)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
5/30/2003	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
6/2/2003	W/H TAX DIV INTC	(7,278)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
6/2/2003	W/H TAX DIV WFC	(50,432)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
6/5/2003	W/H TAX DIV PFE	(120,748)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
6/9/2003	W/H TAX DIV BUD	(16,390)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
6/10/2003	W/H TAX DIV XOM	(169,179)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
6/10/2003	W/H TAX DIV IBM	(26,897)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
6/10/2003	W/H TAX DIV UTX	(12,608)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
6/10/2003	W/H TAX DIV JNJ	(71,726)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
6/12/2003	W/H TAX DIV DD	(35,956)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
6/12/2003	W/H TAX DIV MMM	(24,656)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
6/20/2003	W/H TAX DIV AIG	(15,130)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
6/25/2003	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(9)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
6/26/2003	W/H TAX DIV HD	(17,283)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
6/27/2003	W/H TAX DIV BAC	(118,085)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
6/30/2003	W/H TAX DIV PEP	(34,152)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
7/1/2003	W/H TAX DIV ONE	(30,601)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
7/1/2003	W/H TAX DIV ALL	(17,184)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
7/1/2003	W/H TAX DIV MRK	(98,932)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
7/1/2003	W/H TAX DIV KO	(67,909)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
7/3/2003	W/H TAX DIV SLB	(10,507)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
7/7/2003	W/H TAX DIV WMT	(22,898)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
7/8/2003	W/H TAX DIV MO	(163,833)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
7/9/2003	W/H TAX DIV HPQ	(30,268)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
7/10/2003	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(3)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
7/21/2003	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(3)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
7/31/2003	W/H TAX DIV MWD	(29,141)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
8/1/2003	W/H TAX DIV VZ	(121,951)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
8/1/2003	W/H TAX DIV SBC	(145,391)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
8/15/2003	W/H TAX DIV CL	(15,204)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
8/15/2003	W/H TAX DIV PG	(67,258)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
8/18/2003	W/H TAX DIV TXN	(4,197)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
8/22/2003	W/H TAX DIV C	(208,162)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
8/27/2003	W/H TAX DIV MER	(16,894)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
8/28/2003	W/H TAX DIV GS	(13,198)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
9/2/2003	W/H TAX DIV INTC	(15,052)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
9/2/2003	W/H TAX DIV WFC	(85,524)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
9/4/2003	W/H TAX DIV PFE	(83,921)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
9/5/2003	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(12)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
9/5/2003	W/H TAX DIV BA	(10,016)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
9/5/2003	W/H TAX DIV G	(18,873)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
9/9/2003	W/H TAX DIV BUD	(20,906)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
9/10/2003	W/H TAX DIV XOM	(192,052)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
9/10/2003	W/H TAX DIV IBM	(32,098)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
9/10/2003	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(0)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
9/12/2003	W/H TAX DIV DD	(25,203)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
9/19/2003	W/H TAX DIV AIG	(6,579)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
9/23/2003	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(31)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
9/26/2003	W/H TAX DIV BAC	(47,467)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
9/30/2003	W/H TAX DIV PEP	(25,697)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
10/1/2003	W/H TAX DIV ONE	(27,472)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
10/1/2003	W/H TAX DIV KO	(50,977)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
10/1/2003	W/H TAX DIV MRK	(32,284)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	<u>Transaction Description</u>	<u>Transaction Amount Reported in Customer Statement</u>	<u>Cash Deposits</u>	<u>Cash Withdrawals</u>	<u>Transfers of Principal In</u>	<u>Transfers of Principal Out</u>	<u>Balance of Principal</u>	<u>90-Day Preferential Transfers</u>	<u>2-Year Cash Withdrawals</u>	<u>6-Year Cash Withdrawals</u>	<u>Full History Cash Withdrawals</u>
10/1/2003	W/H TAX DIV VIA.B	(7,463)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
10/8/2003	W/H TAX DIV HPQ	(22,992)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
10/9/2003	W/H TAX DIV MO	(132,202)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
10/14/2003	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(3)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
10/31/2003	W/H TAX DIV MWD	(20,354)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
11/3/2003	W/H TAX DIV SBC	(27,286)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
11/3/2003	W/H TAX DIV VZ	(88,016)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
11/3/2003	W/H TAX DIV SBC	(77,083)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
11/7/2003	W/H TAX DIV MSFT	(211,900)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
11/14/2003	W/H TAX DIV PG	(71,316)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
11/17/2003	W/H TAX DIV TXN	(4,575)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
11/24/2003	W/H TAX DIV GS	(13,679)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
11/25/2003	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(15)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
11/26/2003	W/H TAX DIV C	(220,797)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
11/26/2003	W/H TAX DIV MER	(18,688)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
12/1/2003	W/H TAX DIV INTC	(16,283)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
12/1/2003	W/H TAX DIV WFC	(93,561)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
12/1/2003	W/H TAX DIV MCD	(61,280)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
12/4/2003	W/H TAX DIV PFE	(142,228)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
12/5/2003	W/H TAX DIV G	(19,560)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
12/9/2003	W/H TAX DIV BUD	(21,667)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
12/9/2003	W/H TAX DIV JNJ	(86,667)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
12/10/2003	W/H TAX DIV IBM	(33,266)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
12/10/2003	W/H TAX DIV UTX	(19,150)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
12/10/2003	W/H TAX DIV XOM	(203,327)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
12/12/2003	W/H TAX DIV MMM	(17,267)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
12/15/2003	W/H TAX DIV DD	(42,130)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
12/31/2003	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(9)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
1/2/2004	W/H TAX DIV PEP	(7,198)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
1/2/2004	W/H TAX DIV ONE	(7,104)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
1/5/2004	W/H TAX DIV WMT	(10,229)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
1/6/2004	W/H TAX DIV DIS	(11,437)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
1/7/2004	W/H TAX DIV HPQ	(6,441)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
1/8/2004	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(0)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
1/9/2004	W/H TAX DIV MO	(37,034)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
1/15/2004	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(0)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
1/30/2004	W/H TAX DIV MWD	(11,746)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
2/2/2004	W/H TAX DIV SBC	(45,271)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
2/2/2004	W/H TAX DIV VZ	(46,729)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
2/17/2004	W/H TAX DIV PG	(70,835)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
2/26/2004	W/H TAX DIV GS	(12,974)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
2/27/2004	W/H TAX DIV C	(240,788)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
2/27/2004	W/H TAX DIV MER	(18,267)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/1/2004	W/H TAX DIV WFC	(88,739)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/1/2004	W/H TAX DIV INTC	(30,177)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/5/2004	W/H TAX DIV PFE	(150,523)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/5/2004	W/H TAX DIV BA	(15,880)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/5/2004	W/H TAX DIV G	(18,552)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/9/2004	W/H TAX DIV JNJ	(82,976)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/9/2004	W/H TAX DIV BUD	(20,550)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/10/2004	W/H TAX DIV XOM	(192,815)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/10/2004	W/H TAX DIV IBM	(31,552)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/10/2004	W/H TAX DIV UTX	(11,443)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/12/2004	W/H TAX DIV MMM	(21,185)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/15/2004	W/H TAX DIV DD	(39,958)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
4/6/2004	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(53)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
4/8/2004	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(0)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-



Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	<u>Transaction Description</u>	<u>Transaction Amount</u> <u>Reported in</u> <u>Customer Statement</u>	<u>Cash</u> <u>Deposits</u>	<u>Cash</u> <u>Withdrawals</u>	<u>Transfers of</u> <u>Principal In</u>	<u>Transfers of</u> <u>Principal Out</u>	<u>Balance of</u> <u>Principal</u>	<u>90-Day</u> <u>Preferential</u> <u>Transfers</u>	<u>2-Year</u> <u>Cash</u> <u>Withdrawals</u>	<u>6-Year</u> <u>Cash</u> <u>Withdrawals</u>	<u>Full History</u> <u>Cash</u> <u>Withdrawals</u>
4/30/2004	W/H TAX DIV JPM	(19,225)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
4/30/2004	W/H TAX DIV MWD	(25,035)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
5/3/2004	W/H TAX DIV VZ	(96,386)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
5/3/2004	W/H TAX DIV SBC	(94,833)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
5/14/2004	W/H TAX DIV PG	(73,721)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
5/17/2004	W/H TAX DIV TXN	(4,299)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
5/26/2004	W/H TAX DIV MER	(18,535)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
5/27/2004	W/H TAX DIV GS	(13,164)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
5/28/2004	W/H TAX DIV C	(240,118)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
6/1/2004	W/H TAX DIV INTC	(29,997)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
6/1/2004	W/H TAX DIV WFC	(90,044)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
6/4/2004	W/H TAX DIV PFE	(149,972)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
6/4/2004	W/H TAX DIV G	(18,825)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
6/7/2004	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(18)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
6/7/2004	W/H TAX DIV WMT	(44,219)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
6/8/2004	W/H TAX DIV JNJ	(98,348)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
6/9/2004	W/H TAX DIV BUD	(20,852)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
6/10/2004	W/H TAX DIV IBM	(36,018)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
6/10/2004	W/H TAX DIV UTX	(15,039)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
6/10/2004	W/H TAX DIV XOM	(204,732)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
6/11/2004	W/H TAX DIV BA	(12,891)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
6/14/2004	W/H TAX DIV DD	(40,546)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
6/14/2004	W/H TAX DIV MMM	(23,203)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
6/18/2004	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
6/24/2004	W/H TAX DIV HD	(23,024)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
6/30/2004	W/H TAX DIV PEP	(47,348)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
7/1/2004	W/H TAX DIV KO	(73,135)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
7/7/2004	W/H TAX DIV HPQ	(29,471)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
7/9/2004	W/H TAX DIV MO	(166,879)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
7/26/2004	W/H TAX DIV GE	(27,051)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
8/18/2004	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(78)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
8/23/2004	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
9/7/2004	W/H TAX DIV WMT	(52,672)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
9/10/2004	W/H TAX DIV UTX	(17,726)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
9/13/2004	W/H TAX DIV MMM	(27,349)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
9/14/2004	W/H TAX DIV MSFT	(110,474)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
9/16/2004	W/H TAX DIV HD	(24,567)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
9/17/2004	W/H TAX DIV AIG	(25,145)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
9/24/2004	W/H TAX DIV BAC	(239,309)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
9/30/2004	W/H TAX DIV PEP	(50,521)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
10/1/2004	W/H TAX DIV VIA.B	(13,561)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
10/1/2004	W/H TAX DIV MRK	(109,828)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
10/1/2004	W/H TAX DIV KO	(78,035)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
10/6/2004	W/H TAX DIV HPQ	(31,445)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
10/12/2004	W/H TAX DIV MO	(194,106)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
11/3/2004	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(71)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
11/4/2004	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(0)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
11/9/2004	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(0)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
11/24/2004	W/H TAX DIV MER	(9,891)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
12/1/2004	W/H TAX DIV WFC	(51,253)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
12/1/2004	W/H TAX DIV INTC	(16,281)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
12/3/2004	W/H TAX DIV BA	(16,458)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
12/3/2004	W/H TAX DIV PFE	(131,276)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
12/7/2004	W/H TAX DIV JNJ	(33,110)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
12/10/2004	W/H TAX DIV IBM	(31,269)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
12/10/2004	W/H TAX DIV XOM	(180,211)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
12/13/2004	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(85)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	<u>Transaction Description</u>	<u>Transaction Amount</u> <u>Reported in</u> <u>Customer Statement</u>	<u>Cash</u> <u>Deposits</u>	<u>Cash</u> <u>Withdrawals</u>	<u>Transfers of</u> <u>Principal In</u>	<u>Transfers of</u> <u>Principal Out</u>	<u>Balance of</u> <u>Principal</u>	<u>90-Day</u> <u>Preferential</u> <u>Transfers</u>	<u>2-Year</u> <u>Cash</u> <u>Withdrawals</u>	<u>6-Year</u> <u>Cash</u> <u>Withdrawals</u>	<u>Full History</u> <u>Cash</u> <u>Withdrawals</u>
12/14/2004	W/H TAX DIV DD	(35,201)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
12/16/2004	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(2)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
12/31/2004	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(15)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
1/3/2005	W/H TAX DIV WMT	(17,679)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
2/14/2005	W/H TAX DIV TXN	(5,380)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
2/24/2005	W/H TAX DIV GS	(2,242)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
2/25/2005	W/H TAX DIV C	(284,046)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
2/28/2005	W/H TAX DIV MER	(18,121)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/1/2005	W/H TAX DIV WFC	(103,289)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/1/2005	W/H TAX DIV INTC	(63,196)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/4/2005	W/H TAX DIV G	(20,245)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/4/2005	W/H TAX DIV BA	(25,483)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/7/2005	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(60)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/8/2005	W/H TAX DIV JNJ	(105,707)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/8/2005	W/H TAX DIV PFE	(178,605)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/9/2005	W/H TAX DIV BUD	(24,973)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/10/2005	W/H TAX DIV IBM	(36,695)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/10/2005	W/H TAX DIV XOM	(217,112)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/10/2005	W/H TAX DIV MSFT	(108,271)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/10/2005	W/H TAX DIV UTX	(29,900)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/14/2005	W/H TAX DIV DD	(43,604)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/14/2005	W/H TAX DIV MMM	(42,811)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/18/2005	W/H TAX DIV AIG	(41,055)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/24/2005	W/H TAX DIV HD	(27,181)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/28/2005	W/H TAX DIV BAC	(226,787)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
3/31/2005	W/H TAX DIV PEP	(49,493)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
4/1/2005	W/H TAX DIV VIA.B	(15,063)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
4/1/2005	W/H TAX DIV KO	(66,785)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
4/1/2005	W/H TAX DIV MRK	(103,289)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
4/7/2005	W/H TAX DIV HPQ	(14,926)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
4/11/2005	W/H TAX DIV MO	(148,322)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
4/13/2005	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(56)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
4/25/2005	W/H TAX DIV GE	(289,646)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
5/23/2005	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(44)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
6/6/2005	W/H TAX DIV WMT	(18,703)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
6/10/2005	W/H TAX DIV UTX	(8,897)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
6/13/2005	W/H TAX DIV MMM	(12,738)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
6/17/2005	W/H TAX DIV AIG	(31,049)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
6/20/2005	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(27)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
6/23/2005	W/H TAX DIV HD	(20,799)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
6/24/2005	W/H TAX DIV BAC	(173,447)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
6/30/2005	W/H TAX DIV PEP	(42,313)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
7/1/2005	W/H TAX DIV KO	(59,957)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
7/1/2005	W/H TAX DIV VIA.B	(11,392)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
7/1/2005	W/H TAX DIV MRK	(78,116)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
7/1/2005	W/H TAX DIV ALL	(21,040)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
7/6/2005	W/H TAX DIV HPQ	(22,391)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
7/8/2005	W/H TAX DIV SLB	(12,591)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
7/11/2005	W/H TAX DIV MO	(143,811)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
7/25/2005	W/H TAX DIV GE	(221,745)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
9/8/2005	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(359)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
9/12/2005	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(5)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
9/30/2005	W/H TAX DIV PEP	(29,677)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
9/30/2005	W/H TAX DIV S	(4,956)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
10/3/2005	W/H TAX DIV KO	(83,350)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
10/5/2005	W/H TAX DIV HPQ	(30,212)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
10/11/2005	W/H TAX DIV MO	(214,916)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-

BLMIS ACCOUNT NO. 1FN061 - KINGATE GLOBAL FUND LTD A/C/F KINGATE GLOBAL FUND

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	<u>Transaction Description</u>	<u>Transaction Amount Reported in Customer Statement</u>	<u>Cash Deposits</u>	<u>Cash Withdrawals</u>	<u>Transfers of Principal In</u>	<u>Transfers of Principal Out</u>	<u>Balance of Principal</u>	<u>90-Day Preferential Transfers</u>	<u>2-Year Cash Withdrawals</u>	<u>6-Year Cash Withdrawals</u>	<u>Full History Cash Withdrawals</u>
10/12/2005	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(170)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
10/13/2005	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
10/14/2005	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
10/19/2005	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(2)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
10/25/2005	W/H TAX DIV GE	(223,511)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
10/31/2005	W/H TAX DIV MWD	(26,402)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
11/15/2005	W/H TAX DIV ABT	(40,337)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
11/15/2005	W/H TAX DIV PG	(133,320)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
11/17/2005	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(56)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
11/21/2005	W/H TAX DIV TXN	(6,846)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
11/21/2005	W/H TAX DIV GS	(15,261)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
11/23/2005	W/H TAX DIV MER	(24,418)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
11/23/2005	W/H TAX DIV C	(311,569)	-	* <sup>(1)</sup>	-	-	938,862,953	-	-	-	-
11/28/2005	CHECK WIRE	(40,000,000)	-	(40,000,000)	-	-	898,862,953	-	-	(40,000,000)	(40,000,000)
11/30/2005	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(7)	-	* <sup>(1)</sup>	-	-	898,862,953	-	-	-	-
12/1/2005	W/H TAX DIV WFC	(120,623)	-	* <sup>(1)</sup>	-	-	898,862,953	-	-	-	-
12/1/2005	W/H TAX DIV INTC	(66,767)	-	* <sup>(1)</sup>	-	-	898,862,953	-	-	-	-
12/2/2005	W/H TAX DIV BA	(27,470)	-	* <sup>(1)</sup>	-	-	898,862,953	-	-	-	-
12/6/2005	W/H TAX DIV PFE	(194,081)	-	* <sup>(1)</sup>	-	-	898,862,953	-	-	-	-
12/8/2005	W/H TAX DIV MSFT	(101,252)	-	* <sup>(1)</sup>	-	-	898,862,953	-	-	-	-
12/9/2005	W/H TAX DIV XOM	(252,262)	-	* <sup>(1)</sup>	-	-	898,862,953	-	-	-	-
12/12/2005	W/H TAX DIV MMM	(46,149)	-	* <sup>(1)</sup>	-	-	898,862,953	-	-	-	-
12/12/2005	W/H TAX DIV IBM	(43,952)	-	* <sup>(1)</sup>	-	-	898,862,953	-	-	-	-
12/12/2005	W/H TAX DIV UTX	(31,338)	-	* <sup>(1)</sup>	-	-	898,862,953	-	-	-	-
12/12/2005	W/H TAX DIV CVX	(141,149)	-	* <sup>(1)</sup>	-	-	898,862,953	-	-	-	-
12/13/2005	W/H TAX DIV JNJ	(136,540)	-	* <sup>(1)</sup>	-	-	898,862,953	-	-	-	-
12/14/2005	CHECK WIRE	(45,000,000)	-	(45,000,000)	-	-	853,862,953	-	-	(45,000,000)	(45,000,000)
12/15/2005	W/H TAX DIV KO	(79,000)	-	* <sup>(1)</sup>	-	-	853,862,953	-	-	-	-
12/15/2005	W/H TAX DIV TWX	(32,150)	-	* <sup>(1)</sup>	-	-	853,862,953	-	-	-	-
12/15/2005	W/H TAX DIV HD	(29,301)	-	* <sup>(1)</sup>	-	-	853,862,953	-	-	-	-
12/16/2005	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(6)	-	* <sup>(1)</sup>	-	-	853,862,953	-	-	-	-
12/16/2005	W/H TAX DIV AIG	(53,108)	-	* <sup>(1)</sup>	-	-	853,862,953	-	-	-	-
12/22/2005	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(7)	-	* <sup>(1)</sup>	-	-	853,862,953	-	-	-	-
12/23/2005	W/H TAX DIV BAC	(274,698)	-	* <sup>(1)</sup>	-	-	853,862,953	-	-	-	-
12/30/2005	W/H TAX DIV S	(10,072)	-	* <sup>(1)</sup>	-	-	853,862,953	-	-	-	-
12/30/2005	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(0)	-	* <sup>(1)</sup>	-	-	853,862,953	-	-	-	-
1/3/2006	W/H TAX DIV VIA.B	(15,383)	-	* <sup>(1)</sup>	-	-	853,862,953	-	-	-	-
1/3/2006	W/H TAX DIV WMT	(33,843)	-	* <sup>(1)</sup>	-	-	853,862,953	-	-	-	-
1/3/2006	W/H TAX DIV MRK	(115,984)	-	* <sup>(1)</sup>	-	-	853,862,953	-	-	-	-
1/3/2006	W/H TAX DIV PEP	(60,311)	-	* <sup>(1)</sup>	-	-	853,862,953	-	-	-	-
1/4/2006	W/H TAX DIV HPQ	(31,605)	-	* <sup>(1)</sup>	-	-	853,862,953	-	-	-	-
1/6/2006	W/H TAX DIV DIS	(46,657)	-	* <sup>(1)</sup>	-	-	853,862,953	-	-	-	-
1/13/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(19)	-	* <sup>(1)</sup>	-	-	853,862,953	-	-	-	-
1/20/2006	CHECK WIRE	(35,000,000)	-	(35,000,000)	-	-	818,862,953	-	-	(35,000,000)	(35,000,000)
1/25/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(6)	-	* <sup>(1)</sup>	-	-	818,862,953	-	-	-	-
1/31/2006	W/H TAX DIV MS	(37,505)	-	* <sup>(1)</sup>	-	-	818,862,953	-	-	-	-
2/1/2006	W/H TAX DIV T	(39,004)	-	* <sup>(1)</sup>	-	-	818,862,953	-	-	-	-
2/1/2006	W/H TAX DIV VZ	(33,935)	-	* <sup>(1)</sup>	-	-	818,862,953	-	-	-	-
2/13/2006	W/H TAX DIV TXN	(6,125)	-	* <sup>(1)</sup>	-	-	818,862,953	-	-	-	-
2/15/2006	W/H TAX DIV PG	(119,922)	-	* <sup>(1)</sup>	-	-	818,862,953	-	-	-	-
2/15/2006	W/H TAX DIV ABT	(54,115)	-	* <sup>(1)</sup>	-	-	818,862,953	-	-	-	-
2/21/2006	CHECK WIRE	(30,000,000)	-	(30,000,000)	-	-	788,862,953	-	-	(30,000,000)	(30,000,000)
2/21/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(10)	-	* <sup>(1)</sup>	-	-	788,862,953	-	-	-	-
2/23/2006	W/H TAX DIV GS	(14,469)	-	* <sup>(1)</sup>	-	-	788,862,953	-	-	-	-
2/24/2006	W/H TAX DIV C	(314,201)	-	* <sup>(1)</sup>	-	-	788,862,953	-	-	-	-
2/28/2006	W/H TAX DIV MER	(28,939)	-	* <sup>(1)</sup>	-	-	788,862,953	-	-	-	-
3/1/2006	W/H TAX DIV WFC	(108,347)	-	* <sup>(1)</sup>	-	-	788,862,953	-	-	-	-
3/1/2006	W/H TAX DIV INTC	(76,156)	-	* <sup>(1)</sup>	-	-	788,862,953	-	-	-	-

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	<u>Transaction Description</u>	<u>Transaction Amount</u> <u>Reported in</u> <u>Customer Statement</u>	<u>Cash</u> <u>Deposits</u>	<u>Cash</u> <u>Withdrawals</u>	<u>Transfers of</u> <u>Principal In</u>	<u>Transfers of</u> <u>Principal Out</u>	<u>Balance of</u> <u>Principal</u>	<u>90-Day</u> <u>Preferential</u> <u>Transfers</u>	<u>2-Year</u> <u>Cash</u> <u>Withdrawals</u>	<u>6-Year</u> <u>Cash</u> <u>Withdrawals</u>	<u>Full History</u> <u>Cash</u> <u>Withdrawals</u>
3/3/2006	W/H TAX DIV BA	(31,254)	-	* <sup>(1)</sup>	-	-	788,862,953	-	-	-	-
3/7/2006	W/H TAX DIV UPS	(52,784)	-	* <sup>(1)</sup>	-	-	788,862,953	-	-	-	-
3/7/2006	W/H TAX DIV PFE	(224,445)	-	* <sup>(1)</sup>	-	-	788,862,953	-	-	-	-
3/9/2006	W/H TAX DIV MSFT	(104,970)	-	* <sup>(1)</sup>	-	-	788,862,953	-	-	-	-
3/10/2006	W/H TAX DIV IBM	(39,812)	-	* <sup>(1)</sup>	-	-	788,862,953	-	-	-	-
3/10/2006	W/H TAX DIV UTX	(28,013)	-	* <sup>(1)</sup>	-	-	788,862,953	-	-	-	-
3/10/2006	W/H TAX DIV XOM	(251,264)	-	* <sup>(1)</sup>	-	-	788,862,953	-	-	-	-
3/10/2006	W/H TAX DIV TGT	(11,576)	-	* <sup>(1)</sup>	-	-	788,862,953	-	-	-	-
3/10/2006	W/H TAX DIV CVX	(128,331)	-	* <sup>(1)</sup>	-	-	788,862,953	-	-	-	-
3/10/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(4)	-	* <sup>(1)</sup>	-	-	788,862,953	-	-	-	-
3/13/2006	W/H TAX DIV MMM	(42,598)	-	* <sup>(1)</sup>	-	-	788,862,953	-	-	-	-
3/14/2006	W/H TAX DIV JNJ	(126,057)	-	* <sup>(1)</sup>	-	-	788,862,953	-	-	-	-
3/15/2006	W/H TAX DIV TWX	(29,631)	-	* <sup>(1)</sup>	-	-	788,862,953	-	-	-	-
3/16/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(2)	-	* <sup>(1)</sup>	-	-	788,862,953	-	-	-	-
3/17/2006	W/H TAX DIV AIG	(48,958)	-	* <sup>(1)</sup>	-	-	788,862,953	-	-	-	-
3/23/2006	W/H TAX DIV HD	(39,935)	-	* <sup>(1)</sup>	-	-	788,862,953	-	-	-	-
3/24/2006	W/H TAX DIV BAC	(295,175)	-	* <sup>(1)</sup>	-	-	788,862,953	-	-	-	-
3/30/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(12)	-	* <sup>(1)</sup>	-	-	788,862,953	-	-	-	-
3/31/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	* <sup>(1)</sup>	-	-	788,862,953	-	-	-	-
3/31/2006	W/H TAX DIV S	(9,468)	-	* <sup>(1)</sup>	-	-	788,862,953	-	-	-	-
3/31/2006	W/H TAX DIV PEP	(54,313)	-	* <sup>(1)</sup>	-	-	788,862,953	-	-	-	-
4/3/2006	W/H TAX DIV KO	(81,434)	-	* <sup>(1)</sup>	-	-	788,862,953	-	-	-	-
4/3/2006	W/H TAX DIV MRK	(105,836)	-	* <sup>(1)</sup>	-	-	788,862,953	-	-	-	-
4/3/2006	W/H TAX DIV WMT	(54,039)	-	* <sup>(1)</sup>	-	-	788,862,953	-	-	-	-
4/5/2006	W/H TAX DIV HPQ	(29,148)	-	* <sup>(1)</sup>	-	-	788,862,953	-	-	-	-
4/5/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(3)	-	* <sup>(1)</sup>	-	-	788,862,953	-	-	-	-
4/7/2006	W/H TAX DIV SLB	(17,932)	-	(17,932)	-	-	788,845,021	-	-	-	-
4/7/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(2)	-	* <sup>(1)</sup>	-	-	788,845,021	-	-	-	-
4/10/2006	W/H TAX DIV MO	(213,530)	-	* <sup>(1)</sup>	-	-	788,845,021	-	-	-	-
4/21/2006	CHECK WIRE	(20,000,000)	-	(20,000,000)	-	-	768,845,021	-	-	(20,000,000)	(20,000,000)
4/21/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(5)	-	* <sup>(1)</sup>	-	-	768,845,021	-	-	-	-
4/25/2006	W/H TAX DIV GE	(335,206)	-	* <sup>(1)</sup>	-	-	768,845,021	-	-	-	-
4/28/2006	CXL W/H TAX DIV SLB	17,932	-	17,932	-	-	768,862,953	-	-	-	-
4/28/2006	W/H TAX DIV MS	(36,555)	-	* <sup>(1)</sup>	-	-	768,862,953	-	-	-	-
4/28/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(6)	-	* <sup>(1)</sup>	-	-	768,862,953	-	-	-	-
4/28/2006	W/H TAX DIV MDT	(14,409)	-	* <sup>(1)</sup>	-	-	768,862,953	-	-	-	-
5/1/2006	W/H TAX DIV VZ	(149,233)	-	* <sup>(1)</sup>	-	-	768,862,953	-	-	-	-
5/1/2006	W/H TAX DIV JPM	(109,375)	-	* <sup>(1)</sup>	-	-	768,862,953	-	-	-	-
5/1/2006	W/H TAX DIV T	(161,310)	-	* <sup>(1)</sup>	-	-	768,862,953	-	-	-	-
5/5/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(10)	-	* <sup>(1)</sup>	-	-	768,862,953	-	-	-	-
5/10/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(8)	-	* <sup>(1)</sup>	-	-	768,862,953	-	-	-	-
5/10/2006	W/H TAX DIV AXP	(18,954)	-	* <sup>(1)</sup>	-	-	768,862,953	-	-	-	-
5/15/2006	W/H TAX DIV PG	(129,409)	-	* <sup>(1)</sup>	-	-	768,862,953	-	-	-	-
5/15/2006	W/H TAX DIV ABT	(56,581)	-	* <sup>(1)</sup>	-	-	768,862,953	-	-	-	-
5/16/2006	CHECK WIRE	(10,000,000)	-	(10,000,000)	-	-	758,862,953	-	-	(10,000,000)	(10,000,000)
5/22/2006	W/H TAX DIV CAT	(21,604)	-	* <sup>(1)</sup>	-	-	758,862,953	-	-	-	-
5/22/2006	W/H TAX DIV TXN	(6,093)	-	* <sup>(1)</sup>	-	-	758,862,953	-	-	-	-
5/24/2006	W/H TAX DIV MER	(28,336)	-	* <sup>(1)</sup>	-	-	758,862,953	-	-	-	-
5/25/2006	W/H TAX DIV GS	(19,744)	-	* <sup>(1)</sup>	-	-	758,862,953	-	-	-	-
5/26/2006	W/H TAX DIV C	(309,589)	-	* <sup>(1)</sup>	-	-	758,862,953	-	-	-	-
5/31/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(46)	-	* <sup>(1)</sup>	-	-	758,862,953	-	-	-	-
5/31/2006	W/H TAX DIV UPS	(51,684)	-	* <sup>(1)</sup>	-	-	758,862,953	-	-	-	-
6/1/2006	W/H TAX DIV INTC	(73,673)	-	* <sup>(1)</sup>	-	-	758,862,953	-	-	-	-
6/1/2006	W/H TAX DIV WFC	(111,983)	-	* <sup>(1)</sup>	-	-	758,862,953	-	-	-	-
6/2/2006	W/H TAX DIV BA	(30,603)	-	* <sup>(1)</sup>	-	-	758,862,953	-	-	-	-
6/5/2006	W/H TAX DIV WMT	(53,158)	-	* <sup>(1)</sup>	-	-	758,862,953	-	-	-	-
6/6/2006	W/H TAX DIV BMY	(69,500)	-	* <sup>(1)</sup>	-	-	758,862,953	-	-	-	-
6/6/2006	W/H TAX DIV PFE	(223,059)	-	* <sup>(1)</sup>	-	-	758,862,953	-	-	-	-

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	<u>Transaction Description</u>	<u>Transaction Amount Reported in Customer Statement</u>	<u>Cash Deposits</u>	<u>Cash Withdrawals</u>	<u>Transfers of Principal In</u>	<u>Transfers of Principal Out</u>	<u>Balance of Principal</u>	<u>90-Day Preferential Transfers</u>	<u>2-Year Cash Withdrawals</u>	<u>6-Year Cash Withdrawals</u>	<u>Full History Cash Withdrawals</u>
6/8/2006	W/H TAX DIV MSFT	(100,989)	-	* <sup>(1)</sup>	-	-	758,862,953	-	-	-	-
6/9/2006	W/H TAX DIV XOM	(247,605)	-	* <sup>(1)</sup>	-	-	758,862,953	-	-	-	-
6/12/2006	W/H TAX DIV UTX	(16,520)	-	* <sup>(1)</sup>	-	-	758,862,953	-	-	-	-
6/12/2006	W/H TAX DIV IBM	(59,143)	-	* <sup>(1)</sup>	-	-	758,862,953	-	-	-	-
6/12/2006	W/H TAX DIV MMM	(41,710)	-	* <sup>(1)</sup>	-	-	758,862,953	-	-	-	-
6/13/2006	W/H TAX DIV JNJ	(140,262)	-	* <sup>(1)</sup>	-	-	758,862,953	-	-	-	-
6/15/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(18)	-	* <sup>(1)</sup>	-	-	758,862,953	-	-	-	-
6/15/2006	W/H TAX DIV TWX	(28,338)	-	* <sup>(1)</sup>	-	-	758,862,953	-	-	-	-
6/16/2006	CHECK WIRE	(30,000,000)	-	(30,000,000)	-	-	728,862,953	-	-	(30,000,000)	(30,000,000)
6/22/2006	W/H TAX DIV HD	(40,803)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
6/23/2006	W/H TAX DIV BAC	(294,692)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
6/30/2006	W/H TAX DIV S	(9,351)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
6/30/2006	W/H TAX DIV PEP	(61,221)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
6/30/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(72)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
7/3/2006	W/H TAX DIV CVX	(147,346)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
7/3/2006	W/H TAX DIV AIG	(49,304)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
7/3/2006	W/H TAX DIV MRK	(103,369)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
7/3/2006	W/H TAX DIV KO	(55,761)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
7/5/2006	W/H TAX DIV HPQ	(28,773)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
7/7/2006	W/H TAX DIV SLB	(19,829)	-	(19,829)	-	-	728,843,124	-	-	-	-
7/10/2006	W/H TAX DIV MO	(143,900)	-	* <sup>(1)</sup>	-	-	728,843,124	-	-	-	-
7/14/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(31)	-	* <sup>(1)</sup>	-	-	728,843,124	-	-	-	-
7/21/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(0)	-	* <sup>(1)</sup>	-	-	728,843,124	-	-	-	-
7/31/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(34)	-	* <sup>(1)</sup>	-	-	728,843,124	-	-	-	-
7/31/2006	W/H TAX DIV MS	(14,999)	-	* <sup>(1)</sup>	-	-	728,843,124	-	-	-	-
8/7/2006	CXL W/H TAX DIV SLB	19,829	-	19,829	-	-	728,862,953	-	-	-	-
8/15/2006	W/H TAX DIV ABT	(23,216)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
8/15/2006	W/H TAX DIV PG	(87,949)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
8/17/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(16)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
8/21/2006	W/H TAX DIV CAT	(9,722)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
8/21/2006	W/H TAX DIV TXN	(4,002)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
8/23/2006	W/H TAX DIV MER	(19,169)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
8/24/2006	W/H TAX DIV GS	(13,418)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
8/25/2006	W/H TAX DIV C	(208,913)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
9/1/2006	W/H TAX DIV BA	(20,703)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
9/1/2006	W/H TAX DIV WFC	(81,584)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
9/1/2006	W/H TAX DIV INTC	(50,144)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
9/1/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(17)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
9/5/2006	W/H TAX DIV PFE	(151,282)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
9/5/2006	W/H TAX DIV WMT	(35,962)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
9/6/2006	W/H TAX DIV UPS	(34,965)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
9/11/2006	W/H TAX DIV UTX	(22,351)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
9/11/2006	W/H TAX DIV CVX	(99,680)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
9/11/2006	W/H TAX DIV XOM	(165,368)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
9/11/2006	W/H TAX DIV IBM	(39,105)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
9/12/2006	W/H TAX DIV JNJ	(94,888)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
9/12/2006	W/H TAX DIV MMM	(28,217)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
9/14/2006	W/H TAX DIV MSFT	(68,046)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
9/15/2006	W/H TAX DIV AIG	(36,690)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
9/15/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
9/15/2006	W/H TAX DIV TWX	(20,497)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
9/21/2006	W/H TAX DIV HD	(26,454)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
9/22/2006	W/H TAX DIV BAC	(218,990)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
9/27/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(12)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
9/29/2006	W/H TAX DIV S	(6,442)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
9/29/2006	W/H TAX DIV PEP	(42,317)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
10/2/2006	W/H TAX DIV MRK	(69,929)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	<u>Transaction Description</u>	<u>Transaction Amount Reported in Customer Statement</u>	<u>Cash Deposits</u>	<u>Cash Withdrawals</u>	<u>Transfers of Principal In</u>	<u>Transfers of Principal Out</u>	<u>Balance of Principal</u>	<u>90-Day Preferential Transfers</u>	<u>2-Year Cash Withdrawals</u>	<u>6-Year Cash Withdrawals</u>	<u>Full History Cash Withdrawals</u>
10/2/2006	W/H TAX DIV KO	(54,671)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
10/4/2006	W/H TAX DIV HPQ	(19,016)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
10/10/2006	W/H TAX DIV MO	(154,280)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
10/17/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(13)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
10/25/2006	W/H TAX DIV GE	(223,521)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
10/26/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(6)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
10/27/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
10/30/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
10/31/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
11/20/2006	W/H TAX DIV TXN	(7,400)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
11/20/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(13)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
11/22/2006	W/H TAX DIV C	(282,603)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
11/22/2006	W/H TAX DIV MER	(27,205)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
11/27/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(3)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
11/30/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(2)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
1/2/2007	W/H TAX DIV WMT	(49,163)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
1/2/2007	W/H TAX DIV MRK	(97,557)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
1/2/2007	W/H TAX DIV PEP	(59,486)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
1/3/2007	W/H TAX DIV WFC	(110,631)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
1/3/2007	W/H TAX DIV CVX	(135,806)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
1/3/2007	W/H TAX DIV TGT	(11,752)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
1/3/2007	W/H TAX DIV WB	(129,473)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
1/3/2007	W/H TAX DIV KO	(75,129)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
1/3/2007	W/H TAX DIV XOM	(223,937)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
1/3/2007	W/H TAX DIV MSFT	(101,538)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
1/3/2007	W/H TAX DIV EXC	(30,469)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
1/3/2007	W/H TAX DIV TWX	(26,659)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
1/3/2007	W/H TAX DIV IBM	(53,241)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
1/3/2007	W/H TAX DIV PFE	(207,263)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
1/3/2007	W/H TAX DIV AIG	(50,894)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
1/3/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(30)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
1/3/2007	W/H TAX DIV HPQ	(26,140)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
1/3/2007	W/H TAX DIV BAC	(302,204)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
1/3/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
1/3/2007	W/H TAX DIV S	(8,813)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
1/3/2007	W/H TAX DIV BA	(29,381)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
1/3/2007	W/H TAX DIV MCD	(141,465)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
1/3/2007	W/H TAX DIV HD	(54,529)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
1/3/2007	W/H TAX DIV INTC	(67,804)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
1/3/2007	W/H TAX DIV JNJ	(130,583)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
1/3/2007	W/H TAX DIV UTX	(31,721)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
1/3/2007	W/H TAX DIV MMM	(40,045)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
1/4/2007	W/H TAX DIV UPS	(49,621)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
1/10/2007	W/H TAX DIV MO	(58,579)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
1/12/2007	W/H TAX DIV DIS	(77,387)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
1/25/2007	W/H TAX DIV GE	(199,125)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
1/29/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(45)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
1/31/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(0)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
2/6/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(3)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
2/13/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(8)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
2/16/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(3)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
2/20/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(5)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
2/22/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
2/23/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
2/28/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(7)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
3/1/2007	W/H TAX DIV COP	(43,144)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
3/6/2007	W/H TAX DIV UPS	(28,597)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-

BLMIS ACCOUNT NO. 1FN061 - KINGATE GLOBAL FUND LTD A/C/F KINGATE GLOBAL FUND

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	<u>Transaction Description</u>	<u>Transaction Amount Reported in Customer Statement</u>	<u>Cash Deposits</u>	<u>Cash Withdrawals</u>	<u>Transfers of Principal In</u>	<u>Transfers of Principal Out</u>	<u>Balance of Principal</u>	<u>90-Day Preferential Transfers</u>	<u>2-Year Cash Withdrawals</u>	<u>6-Year Cash Withdrawals</u>	<u>Full History Cash Withdrawals</u>
3/9/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(13)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
3/12/2007	W/H TAX DIV UTX	(9,833)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
3/12/2007	W/H TAX DIV TGT	(6,685)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
3/12/2007	W/H TAX DIV CVX	(40,343)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
3/12/2007	W/H TAX DIV MMM	(35,407)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
3/13/2007	W/H TAX DIV JNJ	(107,188)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
3/15/2007	W/H TAX DIV WB	(103,270)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
3/15/2007	W/H TAX DIV TWX	(21,299)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
3/16/2007	W/H TAX DIV AIG	(41,077)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
3/20/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(27)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
3/22/2007	W/H TAX DIV HD	(45,641)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
3/23/2007	W/H TAX DIV BAC	(242,684)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
3/28/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(17)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
3/30/2007	W/H TAX DIV PEP	(55,773)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
3/30/2007	W/H TAX DIV S	(8,169)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
3/30/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(5)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
4/2/2007	W/H TAX DIV MRK	(95,580)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
4/2/2007	W/H TAX DIV WMT	(61,887)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
4/2/2007	W/H TAX DIV KO	(80,070)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
4/4/2007	W/H TAX DIV HPQ	(25,371)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
4/10/2007	W/H TAX DIV MO	(206,907)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
4/19/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(27)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
4/20/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(0)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
4/25/2007	W/H TAX DIV GE	(281,410)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
4/30/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(15)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
5/4/2007	W/H TAX DIV CVS	(7,393)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
5/15/2007	W/H TAX DIV PG	(130,987)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
5/21/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(19)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
5/23/2007	W/H TAX DIV MER	(34,673)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
5/24/2007	W/H TAX DIV GS	(10,147)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
5/25/2007	W/H TAX DIV C	(309,085)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
5/31/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(0)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
6/1/2007	W/H TAX DIV WFC	(110,954)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
6/1/2007	W/H TAX DIV COP	(79,692)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
6/1/2007	W/H TAX DIV BA	(32,006)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
6/1/2007	W/H TAX DIV INTC	(76,776)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
6/4/2007	W/H TAX DIV WMT	(62,962)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
6/5/2007	W/H TAX DIV PFE	(242,601)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
6/5/2007	W/H TAX DIV UPS	(50,854)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
6/6/2007	W/H TAX DIV TYC	(23,454)	-	(23,454)	-	-	728,839,499	-	-	-	-
6/11/2007	W/H TAX DIV CVX	(146,837)	-	* <sup>(1)</sup>	-	-	728,839,499	-	-	-	-
6/11/2007	W/H TAX DIV XOM	(233,690)	-	* <sup>(1)</sup>	-	-	728,839,499	-	-	-	-
6/11/2007	W/H TAX DIV UTX	(32,086)	-	* <sup>(1)</sup>	-	-	728,839,499	-	-	-	-
6/11/2007	W/H TAX DIV IBM	(70,447)	-	* <sup>(1)</sup>	-	-	728,839,499	-	-	-	-
6/12/2007	W/H TAX DIV JNJ	(140,203)	-	* <sup>(1)</sup>	-	-	728,839,499	-	-	-	-
6/12/2007	W/H TAX DIV MMM	(42,268)	-	* <sup>(1)</sup>	-	-	728,839,499	-	-	-	-
6/14/2007	W/H TAX DIV MSFT	(101,992)	-	* <sup>(1)</sup>	-	-	728,839,499	-	-	-	-
6/15/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(14)	-	* <sup>(1)</sup>	-	-	728,839,499	-	-	-	-
6/15/2007	W/H TAX DIV TWX	(25,008)	-	* <sup>(1)</sup>	-	-	728,839,499	-	-	-	-
6/15/2007	W/H TAX DIV WB	(123,282)	-	* <sup>(1)</sup>	-	-	728,839,499	-	-	-	-
6/15/2007	W/H TAX DIV AIG	(50,854)	-	* <sup>(1)</sup>	-	-	728,839,499	-	-	-	-
6/21/2007	W/H TAX DIV HD	(54,486)	-	* <sup>(1)</sup>	-	-	728,839,499	-	-	-	-
6/22/2007	W/H TAX DIV BAC	(295,876)	-	* <sup>(1)</sup>	-	-	728,839,499	-	-	-	-
6/29/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(10)	-	* <sup>(1)</sup>	-	-	728,839,499	-	-	-	-
6/29/2007	W/H TAX DIV S	(8,531)	-	* <sup>(1)</sup>	-	-	728,839,499	-	-	-	-
6/29/2007	W/H TAX DIV PEP	(72,889)	-	* <sup>(1)</sup>	-	-	728,839,499	-	-	-	-
7/2/2007	W/H TAX DIV KO	(79,904)	-	* <sup>(1)</sup>	-	-	728,839,499	-	-	-	-

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	<u>Transaction Description</u>	<u>Transaction Amount Reported in Customer Statement</u>	<u>Cash Deposits</u>	<u>Cash Withdrawals</u>	<u>Transfers of Principal In</u>	<u>Transfers of Principal Out</u>	<u>Balance of Principal</u>	<u>90-Day Preferential Transfers</u>	<u>2-Year Cash Withdrawals</u>	<u>6-Year Cash Withdrawals</u>	<u>Full History Cash Withdrawals</u>
7/2/2007	W/H TAX DIV MRK	(96,204)	-	* <sup>(1)</sup>	-	-	728,839,499	-	-	-	-
7/5/2007	W/H TAX DIV HPQ	(25,537)	-	* <sup>(1)</sup>	-	-	728,839,499	-	-	-	-
7/10/2007	W/H TAX DIV MO	(169,428)	-	* <sup>(1)</sup>	-	-	728,839,499	-	-	-	-
7/17/2007	CXL W/H TAX DIV TYC	23,454	-	23,454	-	-	728,862,953	-	-	-	-
7/17/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(9)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
8/6/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(20)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
8/24/2007	W/H TAX DIV C	(127,897)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
9/4/2007	W/H TAX DIV WMT	(25,562)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
9/4/2007	W/H TAX DIV INTC	(31,673)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
9/4/2007	W/H TAX DIV WFC	(49,872)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
9/5/2007	W/H TAX DIV PFE	(98,492)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
9/7/2007	W/H TAX DIV BA	(12,513)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
9/10/2007	W/H TAX DIV UTX	(15,730)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
9/10/2007	W/H TAX DIV IBM	(26,813)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
9/10/2007	W/H TAX DIV CVX	(59,614)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
9/10/2007	W/H TAX DIV XOM	(95,409)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
9/13/2007	W/H TAX DIV MSFT	(40,666)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
9/14/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(21)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
9/18/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(2)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
9/26/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(16)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
10/1/2007	W/H TAX DIV KO	(30,374)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
10/10/2007	W/H TAX DIV MO	(70,191)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
10/25/2007	W/H TAX DIV GE	(185,364)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
10/31/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(41)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
11/7/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(6)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
11/13/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(16)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
11/15/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(6)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
11/21/2007	W/H TAX DIV MER	(9,917)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
11/21/2007	W/H TAX DIV C	(84,155)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
11/21/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
11/30/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(8)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
12/3/2007	W/H TAX DIV MCD	(82,058)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
12/3/2007	W/H TAX DIV COP	(20,911)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
12/10/2007	W/H TAX DIV CVX	(56,136)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
12/10/2007	W/H TAX DIV EXC	(12,961)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
12/10/2007	W/H TAX DIV UTX	(14,813)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
12/11/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(11)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
12/11/2007	W/H TAX DIV JNJ	(106,156)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
12/12/2007	W/H TAX DIV MMM	(31,686)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
12/13/2007	W/H TAX DIV MSFT	(40,734)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
12/20/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(4)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
12/31/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(20)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
1/2/2008	W/H TAX DIV HPQ	(6,141)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
1/2/2008	W/H TAX DIV WMT	(15,681)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
1/3/2008	W/H TAX DIV UPS	(19,441)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
1/28/2008	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(4)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
2/20/2008	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(19)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
2/22/2008	W/H TAX DIV C	(92,581)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
2/28/2008	W/H TAX DIV GS	(7,501)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
3/3/2008	W/H TAX DIV INTC	(43,036)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
3/3/2008	W/H TAX DIV COP	(42,808)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
3/3/2008	W/H TAX DIV WFC	(61,453)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
3/4/2008	W/H TAX DIV PFE	(123,441)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
3/4/2008	W/H TAX DIV UPS	(26,521)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
3/5/2008	W/H TAX DIV MER	(16,877)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
3/7/2008	W/H TAX DIV BA	(17,145)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
3/10/2008	W/H TAX DIV EXC	(18,752)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-



Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	<u>Transaction Description</u>	<u>Transaction Amount</u> <u>Reported in</u> <u>Customer Statement</u>	<u>Cash</u> <u>Deposits</u>	<u>Cash</u> <u>Withdrawals</u>	<u>Transfers of</u> <u>Principal In</u>	<u>Transfers of</u> <u>Principal Out</u>	<u>Balance of</u> <u>Principal</u>	<u>90-Day</u> <u>Preferential</u> <u>Transfers</u>	<u>2-Year</u> <u>Cash</u> <u>Withdrawals</u>	<u>6-Year</u> <u>Cash</u> <u>Withdrawals</u>	<u>Full History</u> <u>Cash</u> <u>Withdrawals</u>
3/10/2008	W/H TAX DIV IBM	(32,146)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
3/10/2008	W/H TAX DIV XOM	(112,512)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
3/10/2008	W/H TAX DIV CVX	(71,472)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
3/10/2008	W/H TAX DIV UTX	(18,859)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
3/11/2008	W/H TAX DIV JNJ	(68,927)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
3/12/2008	W/H TAX DIV MMM	(21,431)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
3/13/2008	W/H TAX DIV MSFT	(51,273)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
3/17/2008	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(19)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
3/17/2008	W/H TAX DIV MCD	(26,119)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
3/17/2008	W/H TAX DIV WB	(75,436)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
3/17/2008	W/H TAX DIV TWX	(13,059)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
3/19/2008	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(0)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
3/24/2008	W/H TAX DIV AIG	(30,003)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
3/27/2008	W/H TAX DIV HD	(21,699)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
3/28/2008	W/H TAX DIV BAC	(164,589)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
3/31/2008	W/H TAX DIV PEP	(34,155)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
4/1/2008	W/H TAX DIV KO	(44,790)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
4/1/2008	W/H TAX DIV MRK	(48,862)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
4/2/2008	W/H TAX DIV HPQ	(12,001)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
4/4/2008	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(4)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
4/4/2008	W/H TAX DIV KFT	(24,592)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
4/7/2008	W/H TAX DIV WMT	(31,811)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
4/23/2008	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(7)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
4/25/2008	W/H TAX DIV GE	(181,037)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
4/25/2008	W/H TAX DIV MDT	(7,104)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
4/30/2008	W/H TAX DIV JPM	(64,786)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
4/30/2008	W/H TAX DIV MS	(14,065)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
5/1/2008	W/H TAX DIV T	(123,131)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
5/1/2008	W/H TAX DIV VZ	(63,128)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
5/2/2008	W/H TAX DIV CVS	(4,546)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
5/2/2008	W/H TAX DIV BK	(13,639)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
5/9/2008	W/H TAX DIV AXP	(10,229)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
5/15/2008	W/H TAX DIV ABT	(28,983)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
5/15/2008	W/H TAX DIV PG	(64,407)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
5/20/2008	W/H TAX DIV CAT	(11,934)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
5/23/2008	W/H TAX DIV C	(81,835)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
5/28/2008	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(14)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
5/29/2008	W/H TAX DIV GS	(6,630)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
6/2/2008	W/H TAX DIV WFC	(95,433)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
6/2/2008	W/H TAX DIV WMT	(53,617)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
6/2/2008	W/H TAX DIV COP	(23,588)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
6/2/2008	W/H TAX DIV INTC	(41,770)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
6/3/2008	W/H TAX DIV UPS	(42,980)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
6/3/2008	W/H TAX DIV PFE	(205,611)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
6/6/2008	W/H TAX DIV BA	(27,785)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
6/10/2008	W/H TAX DIV EXC	(30,390)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
6/10/2008	W/H TAX DIV CVX	(129,809)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
6/10/2008	W/H TAX DIV IBM	(65,122)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
6/10/2008	W/H TAX DIV JNJ	(42,098)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
6/10/2008	W/H TAX DIV UTX	(30,564)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
6/10/2008	W/H TAX DIV XOM	(203,338)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
6/12/2008	W/H TAX DIV MSFT	(83,095)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
6/12/2008	W/H TAX DIV MMM	(34,732)	-	* <sup>(1)</sup>	-	-	728,862,953	-	-	-	-
7/18/2008	CHECK WIRE	(50,000,000)	-	(50,000,000)	-	-	678,862,953	-	(50,000,000)	(50,000,000)	(50,000,000)
7/18/2008	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(25)	-	* <sup>(1)</sup>	-	-	678,862,953	-	-	-	-
7/21/2008	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(0)	-	* <sup>(1)</sup>	-	-	678,862,953	-	-	-	-
7/23/2008	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(0)	-	* <sup>(1)</sup>	-	-	678,862,953	-	-	-	-

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	Transaction Description	Transaction Amount Reported in Customer Statement	Cash Deposits	Cash Withdrawals	Transfers of Principal In	Transfers of Principal Out	Balance of Principal	90-Day Preferential Transfers	2-Year Cash Withdrawals	6-Year Cash Withdrawals	Full History Cash Withdrawals
8/1/2008	W/H TAX DIV CVS	(6,593)	-	* <sup>(1)</sup>	-	-	678,862,953	-	-	-	-
8/8/2008	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(2)	-	* <sup>(1)</sup>	-	-	678,862,953	-	-	-	-
8/13/2008	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(0)	-	* <sup>(1)</sup>	-	-	678,862,953	-	-	-	-
8/20/2008	W/H TAX DIV CAT	(17,557)	-	* <sup>(1)</sup>	-	-	678,862,953	-	-	-	-
8/22/2008	W/H TAX DIV C	(112,748)	-	* <sup>(1)</sup>	-	-	678,862,953	-	-	-	-
8/28/2008	W/H TAX DIV GS	(8,361)	-	* <sup>(1)</sup>	-	-	678,862,953	-	-	-	-
10/2/2008	W/H TAX DIV QCOM	(7,689)	-	* <sup>(1)</sup>	-	-	678,862,953	-	-	-	-
10/2/2008	W/H TAX DIV MSFT	(83,356)	-	* <sup>(1)</sup>	-	-	678,862,953	-	-	-	-
10/2/2008	W/H TAX DIV TWX	(21,397)	-	* <sup>(1)</sup>	-	-	678,862,953	-	-	-	-
10/2/2008	W/H TAX DIV EXC	(30,245)	-	* <sup>(1)</sup>	-	-	678,862,953	-	-	-	-
10/2/2008	W/H TAX DIV WMT	(51,309)	-	* <sup>(1)</sup>	-	-	678,862,953	-	-	-	-
10/2/2008	W/H TAX DIV JNJ	(122,000)	-	* <sup>(1)</sup>	-	-	678,862,953	-	-	-	-
10/2/2008	W/H TAX DIV BAC	(268,884)	-	* <sup>(1)</sup>	-	-	678,862,953	-	-	-	-
10/2/2008	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(16)	-	* <sup>(1)</sup>	-	-	678,862,953	-	-	-	-
10/2/2008	W/H TAX DIV UTX	(30,418)	-	* <sup>(1)</sup>	-	-	678,862,953	-	-	-	-
10/2/2008	W/H TAX DIV MMM	(34,566)	-	* <sup>(1)</sup>	-	-	678,862,953	-	-	-	-
10/2/2008	W/H TAX DIV INTC	(51,835)	-	* <sup>(1)</sup>	-	-	678,862,953	-	-	-	-
10/2/2008	W/H TAX DIV WFC	(62,943)	-	* <sup>(1)</sup>	-	-	678,862,953	-	-	-	-
10/2/2008	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(2)	-	* <sup>(1)</sup>	-	-	678,862,953	-	-	-	-
10/2/2008	W/H TAX DIV XOM	(199,415)	-	* <sup>(1)</sup>	-	-	678,862,953	-	-	-	-
10/2/2008	W/H TAX DIV IBM	(44,789)	-	* <sup>(1)</sup>	-	-	678,862,953	-	-	-	-
10/2/2008	W/H TAX DIV PEP	(62,435)	-	* <sup>(1)</sup>	-	-	678,862,953	-	-	-	-
10/2/2008	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(12)	-	* <sup>(1)</sup>	-	-	678,862,953	-	-	-	-
10/2/2008	W/H TAX DIV UPS	(42,775)	-	* <sup>(1)</sup>	-	-	678,862,953	-	-	-	-
10/2/2008	W/H TAX DIV CVX	(127,455)	-	* <sup>(1)</sup>	-	-	678,862,953	-	-	-	-
10/2/2008	W/H TAX DIV AIG	(55,720)	-	* <sup>(1)</sup>	-	-	678,862,953	-	-	-	-
10/2/2008	W/H TAX DIV BUD	(17,677)	-	* <sup>(1)</sup>	-	-	678,862,953	-	-	-	-
10/2/2008	W/H TAX DIV BA	(19,110)	-	* <sup>(1)</sup>	-	-	678,862,953	-	-	-	-
10/2/2008	W/H TAX DIV MCD	(39,888)	-	* <sup>(1)</sup>	-	-	678,862,953	-	-	-	-
10/2/2008	W/H TAX DIV COP	(47,715)	-	* <sup>(1)</sup>	-	-	678,862,953	-	-	-	-
10/2/2008	W/H TAX DIV PFE	(141,412)	-	* <sup>(1)</sup>	-	-	678,862,953	-	-	-	-
10/2/2008	W/H TAX DIV HD	(11,413)	-	* <sup>(1)</sup>	-	-	678,862,953	-	-	-	-
10/17/2008	CHECK WIRE	(50,000,000)	-	(50,000,000)	-	-	628,862,953	(50,000,000)	(50,000,000)	(50,000,000)	(50,000,000)
11/4/2008	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(2)	-	* <sup>(1)</sup>	-	-	628,862,953	-	-	-	-
11/4/2008	W/H TAX DIV PM	(34,345)	-	* <sup>(1)</sup>	-	-	628,862,953	-	-	-	-
11/4/2008	W/H TAX DIV MO	(14,065)	-	* <sup>(1)</sup>	-	-	628,862,953	-	-	-	-
11/4/2008	W/H TAX DIV BAX	(13,157)	-	* <sup>(1)</sup>	-	-	628,862,953	-	-	-	-
11/4/2008	W/H TAX DIV MRK	(75,527)	-	* <sup>(1)</sup>	-	-	628,862,953	-	-	-	-
11/4/2008	W/H TAX DIV KO	(23,118)	-	* <sup>(1)</sup>	-	-	628,862,953	-	-	-	-
11/4/2008	W/H TAX DIV HPQ	(18,452)	-	* <sup>(1)</sup>	-	-	628,862,953	-	-	-	-
11/4/2008	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	* <sup>(1)</sup>	-	-	628,862,953	-	-	-	-
11/28/2008	CHECK WIRE	(50,000,000)	-	(50,000,000)	-	-	578,862,953	(50,000,000)	(50,000,000)	(50,000,000)	(50,000,000)
12/3/2008	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	* <sup>(1)</sup>	-	-	578,862,953	-	-	-	-
12/3/2008	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	* <sup>(1)</sup>	-	-	578,862,953	-	-	-	-
12/3/2008	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	* <sup>(1)</sup>	-	-	578,862,953	-	-	-	-
12/3/2008	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(0)	-	* <sup>(1)</sup>	-	-	578,862,953	-	-	-	-
12/3/2008	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	* <sup>(1)</sup>	-	-	578,862,953	-	-	-	-
Total:			\$ 979,860,000	\$ (398,797,047)	\$ 8,000,000	\$ (10,200,000)	\$ 578,862,953	\$ (100,000,000)	\$ (150,000,000)	\$ (360,000,000)	\$ (398,797,047)

<sup>(1)</sup>Amounts withheld from account holders and paid by BLMIS to the IRS on behalf of customer during the six-year period prior to the filing date have been excluded from the Principal Balance calculation as those amounts have subsequently been refunded by the IRS.

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	Transaction Description	Transaction Amount Reported in Customer Statement	Cash Deposits	Cash Withdrawals	Transfers of Principal In	Transfers of Principal Out	Balance of Principal	90-Day Preferential Transfers	2-Year Cash Withdrawals	6-Year Cash Withdrawals	Full History Cash Withdrawals
1/4/1996	CHECK WIRE	1,370,000	1,370,000	-	-	-	1,370,000	-	-	-	-
2/5/1996	CHECK WIRE	185,000	185,000	-	-	-	1,555,000	-	-	-	-
2/20/1996	W/H TAX DIV CCI	(54)	-	(54)	-	-	1,554,946	-	-	-	(54)
2/20/1996	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	(24)	-	(24)	-	-	1,554,922	-	-	-	(24)
3/1/1996	W/H TAX DIV COL	(4)	-	(4)	-	-	1,554,918	-	-	-	(4)
3/1/1996	W/H TAX DIV BA	(24)	-	(24)	-	-	1,554,894	-	-	-	(24)
3/1/1996	W/H TAX DIV F	(103)	-	(103)	-	-	1,554,791	-	-	-	(103)
3/1/1996	W/H TAX DIV INTC	(9)	-	(9)	-	-	1,554,782	-	-	-	(9)
3/1/1996	W/H TAX DIV MOB	(102)	-	(102)	-	-	1,554,680	-	-	-	(102)
3/11/1996	W/H TAX DIV IBM	(40)	-	(40)	-	-	1,554,640	-	-	-	(40)
3/1/1996	W/H TAX DIV AN	(87)	-	(87)	-	-	1,554,554	-	-	-	(87)
3/11/1996	W/H TAX DIV XON	(255)	-	(255)	-	-	1,554,298	-	-	-	(255)
3/11/1996	W/H TAX DIV GM	(81)	-	(81)	-	-	1,554,217	-	-	-	(81)
3/12/1996	W/H TAX DIV JNJ	(62)	-	(62)	-	-	1,554,155	-	-	-	(62)
3/12/1996	W/H TAX DIV BAC	(56)	-	(56)	-	-	1,554,099	-	-	-	(56)
3/14/1996	W/H TAX DIV DD	(79)	-	(79)	-	-	1,554,020	-	-	-	(79)
3/15/1996	W/H TAX DIV ARC	(57)	-	(57)	-	-	1,553,963	-	-	-	(57)
3/21/1996	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	(8)	-	(8)	-	-	1,553,955	-	-	-	(8)
3/22/1996	W/H TAX DIV AIG	(11)	-	(11)	-	-	1,553,944	-	-	-	(11)
3/29/1996	W/H TAX DIV PEP	(45)	-	(45)	-	-	1,553,899	-	-	-	(45)
4/1/1996	W/H TAX DIV KO	(90)	-	(90)	-	-	1,553,809	-	-	-	(90)
4/1/1996	W/H TAX DIV MRK	(120)	-	(120)	-	-	1,553,689	-	-	-	(120)
4/2/1996	W/H TAX DIV C	(68)	-	(68)	-	-	1,553,621	-	-	-	(68)
4/3/1996	CHECK WIRE	110,000	110,000	-	-	-	1,663,621	-	-	-	-
4/8/1996	W/H TAX DIV WMT	(35)	-	(35)	-	-	1,663,587	-	-	-	(35)
4/10/1996	W/H TAX DIV HWP	(30)	-	(30)	-	-	1,663,557	-	-	-	(30)
4/17/1996	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	(8)	-	(8)	-	-	1,663,548	-	-	-	(8)
4/30/1996	W/H TAX DIV DOW	(59)	-	(59)	-	-	1,663,490	-	-	-	(59)
5/1/1996	W/H TAX DIV NYN	(74)	-	(74)	-	-	1,663,416	-	-	-	(74)
5/1/1996	W/H TAX DIV BMY	(117)	-	(117)	-	-	1,663,300	-	-	-	(117)
5/1/1996	W/H TAX DIV AIT	(87)	-	(87)	-	-	1,663,213	-	-	-	(87)
5/1/1996	W/H TAX DIV T	(157)	-	(157)	-	-	1,663,056	-	-	-	(157)
5/1/1996	W/H TAX DIV BEL	(95)	-	(95)	-	-	1,662,960	-	-	-	(95)
5/2/1996	W/H TAX DIV PNU	(42)	-	(42)	-	-	1,662,918	-	-	-	(42)
5/10/1996	W/H TAX DIV AXP	(33)	-	(33)	-	-	1,662,885	-	-	-	(33)
5/14/1996	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	(17)	-	(17)	-	-	1,662,868	-	-	-	(17)
5/17/1996	W/H TAX DIV CCI	(71)	-	(71)	-	-	1,662,797	-	-	-	(71)
5/17/1996	W/H TAX DIV DIS	(17)	-	(17)	-	-	1,662,779	-	-	-	(17)
5/21/1996	W/H TAX DIV AIG	(13)	-	(13)	-	-	1,662,767	-	-	-	-
6/3/1996	AMERICAN INTL GROUP INC CXL W/H TAX 5/07/96 AIG	13	-	13	-	-	1,662,779	-	-	-	-
6/3/1996	W/H TAX DIV COL	(4)	-	(4)	-	-	1,662,775	-	-	-	(4)
6/3/1996	W/H TAX DIV F	(121)	-	(121)	-	-	1,662,654	-	-	-	(121)
6/3/1996	W/H TAX DIV INTC	(11)	-	(11)	-	-	1,662,644	-	-	-	(11)
6/5/1996	CHECK WIRE	1,630,000	1,630,000	-	-	-	3,292,644	-	-	-	-
6/7/1996	W/H TAX DIV BA	(29)	-	(29)	-	-	3,292,614	-	-	-	(29)
6/10/1996	W/H TAX DIV AN	(104)	-	(104)	-	-	3,292,511	-	-	-	(104)
6/10/1996	W/H TAX DIV IBM	(67)	-	(67)	-	-	3,292,443	-	-	-	(67)
6/10/1996	W/H TAX DIV MOB	(126)	-	(126)	-	-	3,292,317	-	-	-	(126)
6/11/1996	W/H TAX DIV JNJ	(80)	-	(80)	-	-	3,292,237	-	-	-	(80)
6/12/1996	W/H TAX DIV BAC	(61)	-	(61)	-	-	3,292,176	-	-	-	(61)
6/12/1996	W/H TAX DIV MMM	(57)	-	(57)	-	-	3,292,119	-	-	-	(57)
6/14/1996	W/H TAX DIV MCD	(16)	-	(16)	-	-	3,292,103	-	-	-	(16)
6/21/1996	W/H TAX DIV AIG	(12)	-	(12)	-	-	3,292,091	-	-	-	(12)
6/25/1996	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	(55)	-	(55)	-	-	3,292,036	-	-	-	(55)
6/28/1996	W/H TAX DIV PEP	(56)	-	(56)	-	-	3,291,980	-	-	-	(56)
7/1/1996	W/H TAX DIV MRK	(129)	-	(129)	-	-	3,291,851	-	-	-	(129)
7/1/1996	W/H TAX DIV WMT	(37)	-	(37)	-	-	3,291,814	-	-	-	(37)
7/1/1996	W/H TAX DIV KO	(99)	-	(99)	-	-	3,291,715	-	-	-	(99)
7/3/1996	CHECK WIRE	795,000	795,000	-	-	-	4,086,715	-	-	-	-
7/5/1996	W/H TAX DIV SLB	(27)	-	(27)	-	-	4,086,687	-	-	-	(27)
7/10/1996	W/H TAX DIV HWP	(39)	-	(39)	-	-	4,086,648	-	-	-	(39)
7/15/1996	W/H TAX DIV C	(79)	-	(79)	-	-	4,086,569	-	-	-	(79)
7/22/1996	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	(31)	-	(31)	-	-	4,086,538	-	-	-	(31)
7/25/1996	W/H TAX DIV GE	(464)	-	(464)	-	-	4,086,074	-	-	-	(464)
7/30/1996	W/H TAX DIV DOW	(55)	-	(55)	-	-	4,086,019	-	-	-	(55)
8/1/1996	W/H TAX DIV EK	(42)	-	(42)	-	-	4,085,977	-	-	-	(42)
8/1/1996	W/H TAX DIV BMY	(227)	-	(227)	-	-	4,085,751	-	-	-	(227)
8/1/1996	W/H TAX DIV AIT	(173)	-	(173)	-	-	4,085,578	-	-	-	(173)
8/1/1996	W/H TAX DIV BEL	(189)	-	(189)	-	-	4,085,389	-	-	-	(189)
8/1/1996	W/H TAX DIV T	(320)	-	(320)	-	-	4,085,069	-	-	-	(320)

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	<u>Transaction Description</u>	<u>Transaction Amount Reported in Customer Statement</u>	<u>Cash Deposits</u>	<u>Cash Withdrawals</u>	<u>Transfers of Principal In</u>	<u>Transfers of Principal Out</u>	<u>Balance of Principal</u>	<u>90-Day Preferential Transfers</u>	<u>2-Year Cash Withdrawals</u>	<u>6-Year Cash Withdrawals</u>	<u>Full History Cash Withdrawals</u>
8/1/1996	W/H TAX DIV NYN	(155)	-	(155)	-	-	4,084,914	-	-	-	(155)
8/1/1996	W/H TAX DIV PNU	(84)	-	(84)	-	-	4,084,831	-	-	-	(84)
8/6/1996	CHECK WIRE	540,000	540,000	-	-	-	4,624,831	-	-	-	-
8/9/1996	W/H TAX DIV AXP	(66)	-	(66)	-	-	4,624,765	-	-	-	(66)
8/16/1996	W/H TAX DIV DIS	(45)	-	(45)	-	-	4,624,720	-	-	-	(45)
8/19/1996	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	(27)	-	(27)	-	-	4,624,693	-	-	-	(27)
8/19/1996	W/H TAX DIV CCI	(178)	-	(178)	-	-	4,624,515	-	-	-	(178)
9/3/1996	W/H TAX DIV COL	(11)	-	(11)	-	-	4,624,504	-	-	-	(11)
9/3/1996	W/H TAX DIV F	(368)	-	(368)	-	-	4,624,136	-	-	-	(368)
9/3/1996	W/H TAX DIV INTC	(34)	-	(34)	-	-	4,624,102	-	-	-	(34)
9/6/1996	W/H TAX DIV BA	(79)	-	(79)	-	-	4,624,023	-	-	-	(79)
9/10/1996	W/H TAX DIV JNJ	(210)	-	(210)	-	-	4,623,813	-	-	-	(210)
9/10/1996	W/H TAX DIV MOB	(325)	-	(325)	-	-	4,623,488	-	-	-	(325)
9/10/1996	W/H TAX DIV GM	(250)	-	(250)	-	-	4,623,238	-	-	-	(250)
9/10/1996	W/H TAX DIV AN	(262)	-	(262)	-	-	4,622,976	-	-	-	(262)
9/10/1996	W/H TAX DIV IBM	(159)	-	(159)	-	-	4,622,817	-	-	-	(159)
9/10/1996	W/H TAX DIV XON	(806)	-	(806)	-	-	4,622,011	-	-	-	(806)
9/12/1996	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	(2)	-	(2)	-	-	4,622,009	-	-	-	(2)
9/12/1996	W/H TAX DIV BAC	(164)	-	(164)	-	-	4,621,845	-	-	-	(164)
9/12/1996	W/H TAX DIV DD	(267)	-	(267)	-	-	4,621,578	-	-	-	(267)
9/13/1996	CHECK WIRE	150,000	150,000	-	-	-	4,771,578	-	-	-	-
9/13/1996	W/H TAX DIV ARC	(45)	-	(45)	-	-	4,771,533	-	-	-	(45)
9/13/1996	W/H TAX DIV MCD	(48)	-	(48)	-	-	4,771,485	-	-	-	(48)
9/20/1996	W/H TAX DIV AIG	(43)	-	(43)	-	-	4,771,442	-	-	-	(43)
9/27/1996	W/H TAX DIV PEP	(168)	-	(168)	-	-	4,771,274	-	-	-	(168)
10/1/1996	W/H TAX DIV MRK	(462)	-	(462)	-	-	4,770,812	-	-	-	(462)
10/1/1996	W/H TAX DIV KO	(293)	-	(293)	-	-	4,770,519	-	-	-	(293)
10/1/1996	W/H TAX DIV EK	(128)	-	(128)	-	-	4,770,391	-	-	-	(128)
10/7/1996	W/H TAX DIV WMT	(112)	-	(112)	-	-	4,770,279	-	-	-	(112)
10/8/1996	CHECK WIRE	250,000	250,000	-	-	-	5,020,279	-	-	-	-
10/15/1996	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	(8)	-	(8)	-	-	5,020,270	-	-	-	(8)
11/1/1996	W/H TAX DIV T	(491)	-	(491)	-	-	5,019,779	-	-	-	(491)
11/7/1996	CHECK WIRE	1,300,000	1,300,000	-	-	-	6,319,779	-	-	-	-
11/19/1996	W/H TAX DIV CCI	(205)	-	(205)	-	-	6,319,574	-	-	-	(205)
11/19/1996	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	(27)	-	(27)	-	-	6,319,546	-	-	-	(27)
12/2/1996	W/H TAX DIV F	(444)	-	(444)	-	-	6,319,103	-	-	-	(444)
12/2/1996	W/H TAX DIV INTC	(43)	-	(43)	-	-	6,319,060	-	-	-	(43)
12/5/1996	CHECK WIRE	630,000	630,000	-	-	-	6,949,060	-	-	-	-
12/6/1996	W/H TAX DIV BA	(115)	-	(115)	-	-	6,948,944	-	-	-	(115)
12/10/1996	W/H TAX DIV AN	(312)	-	(312)	-	-	6,948,632	-	-	-	(312)
12/10/1996	W/H TAX DIV IBM	(176)	-	(176)	-	-	6,948,456	-	-	-	(176)
12/10/1996	W/H TAX DIV XON	(1,161)	-	(1,161)	-	-	6,947,295	-	-	-	(1,161)
12/10/1996	W/H TAX DIV GM	(360)	-	(360)	-	-	6,946,935	-	-	-	(360)
12/10/1996	W/H TAX DIV JNJ	(297)	-	(297)	-	-	6,946,637	-	-	-	(297)
12/10/1996	W/H TAX DIV MOB	(384)	-	(384)	-	-	6,946,253	-	-	-	(384)
12/12/1996	W/H TAX DIV MMM	(245)	-	(245)	-	-	6,946,009	-	-	-	(245)
12/12/1996	W/H TAX DIV BAC	(235)	-	(235)	-	-	6,945,773	-	-	-	(235)
12/12/1996	W/H TAX DIV MTC	(108)	-	(108)	-	-	6,945,666	-	-	-	(108)
12/13/1996	W/H TAX DIV MCD	(63)	-	(63)	-	-	6,945,602	-	-	-	(63)
12/16/1996	W/H TAX DIV KO	(362)	-	(362)	-	-	6,945,241	-	-	-	(362)
12/16/1996	W/H TAX DIV DD	(385)	-	(385)	-	-	6,944,855	-	-	-	(385)
12/18/1996	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	(31)	-	(31)	-	-	6,944,824	-	-	-	(31)
12/20/1996	W/H TAX DIV AIG	(56)	-	(56)	-	-	6,944,769	-	-	-	(56)
1/2/1997	W/H TAX DIV PEP	(212)	-	(212)	-	-	6,944,556	-	-	-	(212)
1/2/1997	W/H TAX DIV MRK	(578)	-	(578)	-	-	6,943,978	-	-	-	(578)
1/2/1997	W/H TAX DIV EK	(165)	-	(165)	-	-	6,943,813	-	-	-	(165)
1/9/1997	CHECK WIRE	11,000,000	11,000,000	-	-	-	17,943,813	-	-	-	-
1/9/1997	CANCEL WIRE	(11,000,000)	(11,000,000)	-	-	-	6,943,813	-	-	-	-
1/10/1997	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	(1)	-	-	6,943,812	-	-	-	(1)
1/14/1997	CHECK WIRE A/O 1/9/97	380,000	380,000	-	-	-	7,323,812	-	-	-	-
1/15/1997	W/H TAX DIV C	(358)	-	(358)	-	-	7,323,454	-	-	-	(358)
1/17/1997	W/H TAX DIV WMT	(142)	-	(142)	-	-	7,323,312	-	-	-	(142)
2/6/1997	CHECK WIRE	1,200,000	1,200,000	-	-	-	8,523,312	-	-	-	-
2/18/1997	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(43)	-	(43)	-	-	8,523,269	-	-	-	(43)
2/20/1997	W/H TAX DIV CCI	(323)	-	(323)	-	-	8,522,946	-	-	-	(323)
3/3/1997	W/H TAX DIV INTC	(52)	-	(52)	-	-	8,522,894	-	-	-	(52)
3/3/1997	W/H TAX DIV COL	(17)	-	(17)	-	-	8,522,877	-	-	-	(17)
3/3/1997	W/H TAX DIV F	(586)	-	(586)	-	-	8,522,291	-	-	-	(586)
3/7/1997	W/H TAX DIV BA	(127)	-	(127)	-	-	8,522,164	-	-	-	(127)
3/10/1997	W/H TAX DIV XON	(1,255)	-	(1,255)	-	-	8,520,909	-	-	-	(1,255)

BLMIS ACCOUNT NO. 1FN06130-20000000 LTD

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	Transaction Description	Transaction Amount Reported in Customer Statement	Cash Deposits	Cash Withdrawals	Transfers of Principal In	Transfers of Principal Out	Balance of Principal	90-Day Preferential Transfers	2-Year Cash Withdrawals	6-Year Cash Withdrawals	Full History Cash Withdrawals
3/10/1997	W/H TAX DIV AN	(454)	-	(454)	-	-	8,520,455	-	-	-	(454)
3/10/1997	W/H TAX DIV GM	(471)	-	(471)	-	-	8,519,985	-	-	-	(471)
3/10/1997	W/H TAX DIV IBM	(228)	-	(228)	-	-	8,519,757	-	-	-	(228)
3/10/1997	W/H TAX DIV MOB	(550)	-	(550)	-	-	8,519,207	-	-	-	(550)
3/11/1997	W/H TAX DIV JNJ	(369)	-	(369)	-	-	8,518,838	-	-	-	(369)
3/11/1997	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(4)	-	(4)	-	-	8,518,834	-	-	-	(4)
3/12/1997	W/H TAX DIV BAC	(319)	-	(319)	-	-	8,518,515	-	-	-	(319)
3/12/1997	W/H TAX DIV MMM	(316)	-	(316)	-	-	8,518,199	-	-	-	(316)
3/14/1997	W/H TAX DIV DD	(407)	-	(407)	-	-	8,517,792	-	-	-	(407)
3/17/1997	TRANS FROM 1FN06130 (1FN061)	3,200,000	-	-	3,200,000	-	11,717,792	-	-	-	-
3/31/1997	W/H TAX DIV PEP	(227)	-	(227)	-	-	11,717,565	-	-	-	(227)
4/1/1997	W/H TAX DIV KO	(440)	-	(440)	-	-	11,717,125	-	-	-	(440)
4/4/1997	W/H TAX DIV SLB	(140)	-	(140)	-	-	11,716,985	-	-	-	(140)
4/8/1997	CHECK WIRE	1,300,000	1,300,000	-	-	-	13,016,985	-	-	-	-
4/9/1997	W/H TAX DIV WMT	(197)	-	(197)	-	-	13,016,788	-	-	-	(197)
4/15/1997	W/H TAX DIV C	(376)	-	(376)	-	-	13,016,413	-	-	-	(376)
4/16/1997	W/H TAX DIV HWP	(216)	-	(216)	-	-	13,016,197	-	-	-	(216)
4/24/1997	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(33)	-	(33)	-	-	13,016,163	-	-	-	(33)
5/1/1997	W/H TAX DIV BEL	(566)	-	(566)	-	-	13,015,597	-	-	-	(566)
5/1/1997	W/H TAX DIV AIT	(559)	-	(559)	-	-	13,015,038	-	-	-	(559)
5/1/1997	W/H TAX DIV BMY	(689)	-	(689)	-	-	13,014,349	-	-	-	(689)
5/1/1997	W/H TAX DIV T	(946)	-	(946)	-	-	13,013,403	-	-	-	(946)
5/9/1997	W/H TAX DIV AXP	(192)	-	(192)	-	-	13,013,210	-	-	-	(192)
5/12/1997	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(35)	-	(35)	-	-	13,013,176	-	-	-	(35)
5/16/1997	W/H TAX DIV DIS	(161)	-	(161)	-	-	13,013,015	-	-	-	(161)
5/19/1997	W/H TAX DIV CCI	(539)	-	(539)	-	-	13,012,476	-	-	-	(539)
6/2/1997	W/H TAX DIV F	(1,125)	-	(1,125)	-	-	13,011,351	-	-	-	(1,125)
6/2/1997	W/H TAX DIV INTC	(94)	-	(94)	-	-	13,011,257	-	-	-	(94)
6/2/1997	W/H TAX DIV COL	(31)	-	(31)	-	-	13,011,226	-	-	-	(31)
6/4/1997	CHECK WIRE	2,000,000	2,000,000	-	-	-	15,011,226	-	-	-	-
6/10/1997	W/H TAX DIV IBM	(502)	-	(502)	-	-	15,010,724	-	-	-	(502)
6/10/1997	W/H TAX DIV MOB	(906)	-	(906)	-	-	15,009,818	-	-	-	(906)
6/10/1997	W/H TAX DIV AN	(758)	-	(758)	-	-	15,009,060	-	-	-	(758)
6/11/1997	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(8)	-	(8)	-	-	15,009,052	-	-	-	(8)
7/3/1997	CHECK WIRE	2,300,000	2,300,000	-	-	-	17,309,052	-	-	-	-
7/9/1997	W/H TAX DIV HWP	(334)	-	(334)	-	-	17,308,718	-	-	-	(334)
7/14/1997	W/H TAX DIV WMT	(363)	-	(363)	-	-	17,308,355	-	-	-	(363)
7/18/1997	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(10)	-	(10)	-	-	17,308,345	-	-	-	(10)
7/25/1997	W/H TAX DIV GE	(1,987)	-	(1,987)	-	-	17,306,358	-	-	-	(1,987)
8/1/1997	W/H TAX DIV BEL	(751)	-	(751)	-	-	17,305,607	-	-	-	(751)
8/1/1997	W/H TAX DIV T	(1,241)	-	(1,241)	-	-	17,304,366	-	-	-	(1,241)
8/1/1997	W/H TAX DIV BMY	(885)	-	(885)	-	-	17,303,481	-	-	-	(885)
8/1/1997	W/H TAX DIV AIT	(708)	-	(708)	-	-	17,302,773	-	-	-	(708)
8/8/1997	W/H TAX DIV AXP	(242)	-	(242)	-	-	17,302,531	-	-	-	(242)
8/11/1997	CHECK WIRE	3,000,000	3,000,000	-	-	-	20,302,531	-	-	-	-
8/20/1997	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(10)	-	(10)	-	-	20,302,521	-	-	-	(10)
8/22/1997	W/H TAX DIV DIS	(206)	-	(206)	-	-	20,302,315	-	-	-	(206)
9/12/1997	W/H TAX DIV MMM	(606)	-	(606)	-	-	20,301,709	-	-	-	(606)
9/12/1997	W/H TAX DIV MCD	(163)	-	(163)	-	-	20,301,546	-	-	-	(163)
9/19/1997	W/H TAX DIV AIG	(149)	-	(149)	-	-	20,301,397	-	-	-	(149)
9/23/1997	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(62)	-	(62)	-	-	20,301,335	-	-	-	(62)
9/26/1997	W/H TAX DIV NB	(679)	-	(679)	-	-	20,300,657	-	-	-	(679)
10/1/1997	W/H TAX DIV S	(245)	-	(245)	-	-	20,300,411	-	-	-	(245)
10/1/1997	W/H TAX DIV MRK	(1,509)	-	(1,509)	-	-	20,298,902	-	-	-	(1,509)
10/1/1997	W/H TAX DIV KO	(939)	-	(939)	-	-	20,297,964	-	-	-	(939)
10/7/1997	W/H TAX DIV PEP	(524)	-	(524)	-	-	20,297,440	-	-	-	(524)
10/8/1997	CHECK WIRE	1,800,000	1,800,000	-	-	-	22,097,440	-	-	-	-
10/10/1997	W/H TAX DIV SLB	(257)	-	(257)	-	-	22,097,183	-	-	-	(257)
10/14/1997	W/H TAX DIV WMT	(422)	-	(422)	-	-	22,096,761	-	-	-	(422)
10/15/1997	W/H TAX DIV HWP	(384)	-	(384)	-	-	22,096,377	-	-	-	(384)
10/15/1997	W/H TAX DIV C	(762)	-	(762)	-	-	22,095,615	-	-	-	(762)
10/22/1997	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(18)	-	(18)	-	-	22,095,597	-	-	-	(18)
10/27/1997	W/H TAX DIV GE	(2,318)	-	(2,318)	-	-	22,093,280	-	-	-	(2,318)
11/3/1997	W/H TAX DIV AIT	(868)	-	(868)	-	-	22,092,412	-	-	-	(868)
11/3/1997	W/H TAX DIV T	(1,470)	-	(1,470)	-	-	22,090,942	-	-	-	(1,470)
11/3/1997	W/H TAX DIV BEL	(1,657)	-	(1,657)	-	-	22,089,285	-	-	-	(1,657)
11/3/1997	W/H TAX DIV BMY	(1,051)	-	(1,051)	-	-	22,088,234	-	-	-	(1,051)
11/10/1997	W/H TAX DIV AXP	(294)	-	(294)	-	-	22,087,940	-	-	-	(294)
11/13/1997	CHECK WIRE	800,000	800,000	-	-	-	22,887,940	-	-	-	-
11/20/1997	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(17)	-	(17)	-	-	22,887,922	-	-	-	(17)

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	Transaction Description	Transaction Amount Reported in Customer Statement	Cash Deposits	Cash Withdrawals	Transfers of Principal In	Transfers of Principal Out	Balance of Principal	90-Day Preferential Transfers	2-Year Cash Withdrawals	6-Year Cash Withdrawals	Full History Cash Withdrawals
11/21/1997	W/H TAX DIV DIS	(244)	-	(244)	-	-	22,887,678	-	-	-	(244)
12/10/1997	CHECK WIRE	5,000,000	5,000,000	-	-	-	27,887,678	-	-	-	-
12/12/1997	W/H TAX DIV MCD	(137)	-	(137)	-	-	27,887,541	-	-	-	(137)
12/15/1997	W/H TAX DIV KO	(839)	-	(839)	-	-	27,886,702	-	-	-	(839)
12/17/1997	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(52)	-	(52)	-	-	27,886,650	-	-	-	(52)
12/19/1997	W/H TAX DIV AIG	(125)	-	(125)	-	-	27,886,525	-	-	-	(125)
12/24/1997	W/H TAX DIV NB	(658)	-	(658)	-	-	27,885,867	-	-	-	(658)
1/2/1998	W/H TAX DIV PEP	(466)	-	(466)	-	-	27,885,401	-	-	-	(466)
1/2/1998	W/H TAX DIV MRK	(1,319)	-	(1,319)	-	-	27,884,082	-	-	-	(1,319)
1/9/1998	CHECK WIRE	3,300,000	3,300,000	-	-	-	31,184,082	-	-	-	-
1/15/1998	W/H TAX DIV C	(639)	-	(639)	-	-	31,183,443	-	-	-	(639)
1/20/1998	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(3)	-	(3)	-	-	31,183,440	-	-	-	(3)
2/9/1998	CHECK WIRE	3,500,000	3,500,000	-	-	-	34,683,440	-	-	-	-
2/19/1998	W/H TAX DIV CCI	(760)	-	(760)	-	-	34,682,680	-	-	-	(760)
2/24/1998	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(20)	-	(20)	-	-	34,682,659	-	-	-	(20)
2/25/1998	W/H TAX DIV MER	(198)	-	(198)	-	-	34,682,461	-	-	-	(198)
3/2/1998	W/H TAX DIV INTC	(146)	-	(146)	-	-	34,682,315	-	-	-	(146)
3/2/1998	W/H TAX DIV F	(1,488)	-	(1,488)	-	-	34,680,827	-	-	-	(1,488)
3/6/1998	CHECK WIRE	9,000,000	9,000,000	-	-	-	43,680,827	-	-	-	-
3/6/1998	W/H TAX DIV BA	(579)	-	(579)	-	-	43,680,248	-	-	-	(579)
3/10/1998	W/H TAX DIV IBM	(562)	-	(562)	-	-	43,679,686	-	-	-	(562)
3/10/1998	W/H TAX DIV JNJ	(1,213)	-	(1,213)	-	-	43,678,473	-	-	-	(1,213)
3/10/1998	W/H TAX DIV MOB	(1,319)	-	(1,319)	-	-	43,677,153	-	-	-	(1,319)
3/10/1998	W/H TAX DIV GM	(1,494)	-	(1,494)	-	-	43,675,660	-	-	-	(1,494)
3/10/1998	W/H TAX DIV AN	(1,551)	-	(1,551)	-	-	43,674,109	-	-	-	(1,551)
3/10/1998	W/H TAX DIV XON	(2,973)	-	(2,973)	-	-	43,671,136	-	-	-	(2,973)
3/11/1998	W/H TAX DIV BAC	(998)	-	(998)	-	-	43,670,137	-	-	-	(998)
3/12/1998	W/H TAX DIV MMM	(885)	-	(885)	-	-	43,669,252	-	-	-	(885)
3/13/1998	W/H TAX DIV ARC	(707)	-	(707)	-	-	43,668,546	-	-	-	(707)
3/16/1998	W/H TAX DIV DD	(1,448)	-	(1,448)	-	-	43,667,098	-	-	-	(1,448)
3/17/1998	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(16)	-	(16)	-	-	43,667,082	-	-	-	(16)
4/3/1998	W/H TAX DIV SLB	(388)	-	(388)	-	-	43,666,694	-	-	-	(388)
4/6/1998	W/H TAX DIV WMT	(453)	-	(453)	-	-	43,666,242	-	-	-	(453)
4/8/1998	CHECK WIRE	7,000,000	7,000,000	-	-	-	50,666,242	-	-	-	-
4/15/1998	W/H TAX DIV HWP	(737)	-	(737)	-	-	50,665,504	-	-	-	(737)
4/22/1998	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(32)	-	(32)	-	-	50,665,472	-	-	-	(32)
5/1/1998	W/H TAX DIV T	(2,772)	-	(2,772)	-	-	50,662,700	-	-	-	(2,772)
5/1/1998	W/H TAX DIV AIT	(1,751)	-	(1,751)	-	-	50,660,949	-	-	-	(1,751)
5/1/1998	W/H TAX DIV BEL	(3,069)	-	(3,069)	-	-	50,657,880	-	-	-	(3,069)
5/1/1998	W/H TAX DIV BMY	(1,999)	-	(1,999)	-	-	50,655,882	-	-	-	(1,999)
5/8/1998	CHECK WIRE	9,500,000	9,500,000	-	-	-	60,155,882	-	-	-	-
5/8/1998	W/H TAX DIV AXP	(545)	-	(545)	-	-	60,155,337	-	-	-	(545)
5/19/1998	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(14)	-	(14)	-	-	60,155,323	-	-	-	(14)
5/22/1998	W/H TAX DIV DIS	(538)	-	(538)	-	-	60,154,785	-	-	-	(538)
6/5/1998	CHECK WIRE	8,200,000	8,200,000	-	-	-	68,354,785	-	-	-	-
6/5/1998	W/H TAX DIV BA	(941)	-	(941)	-	-	68,353,844	-	-	-	(941)
6/9/1998	W/H TAX DIV JNJ	(2,241)	-	(2,241)	-	-	68,351,603	-	-	-	(2,241)
6/10/1998	W/H TAX DIV MOB	(843)	-	(843)	-	-	68,350,761	-	-	-	(843)
6/10/1998	W/H TAX DIV AN	(3,518)	-	(3,518)	-	-	68,347,243	-	-	-	-
6/10/1998	W/H TAX DIV GM	(1,753)	-	(1,753)	-	-	68,345,490	-	-	-	(1,753)
6/10/1998	W/H TAX DIV IBM	(418)	-	(418)	-	-	68,345,072	-	-	-	(418)
6/10/1998	W/H TAX DIV XON	(4,865)	-	(4,865)	-	-	68,340,206	-	-	-	(4,865)
6/11/1998	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(26)	-	(26)	-	-	68,340,181	-	-	-	(26)
6/11/1998	W/H TAX DIV BAC	(1,619)	-	(1,619)	-	-	68,338,562	-	-	-	(1,619)
6/12/1998	W/H TAX DIV MCD	(413)	-	(413)	-	-	68,338,149	-	-	-	(413)
6/12/1998	W/H TAX DIV DD	(2,745)	-	(2,745)	-	-	68,335,403	-	-	-	(2,745)
6/12/1998	W/H TAX DIV MMM	(1,438)	-	(1,438)	-	-	68,333,965	-	-	-	(1,438)
6/19/1998	W/H TAX DIV AIG	(365)	-	(365)	-	-	68,333,601	-	-	-	(365)
6/26/1998	W/H TAX DIV NB	(2,417)	-	(2,417)	-	-	68,331,184	-	-	-	(2,417)
6/30/1998	W/H TAX DIV NT	(215)	-	(215)	-	-	68,330,969	-	-	-	(215)
6/30/1998	W/H TAX DIV PEP	(1,313)	-	(1,313)	-	-	68,329,656	-	-	-	(1,313)
7/1/1998	AMOCO CORP CANCEL W/H	3,518	-	3,518	-	-	68,333,174	-	-	-	-
7/1/1998	W/H TAX DIV KO	(2,509)	-	(2,509)	-	-	68,330,665	-	-	-	(2,509)
7/1/1998	W/H TAX DIV MRK	(3,609)	-	(3,609)	-	-	68,327,055	-	-	-	(3,609)
7/1/1998	AMOCO CORP W/H TAX DIV	(1,759)	-	(1,759)	-	-	68,325,296	-	-	-	(1,759)
7/8/1998	CHECK WIRE	7,000,000	7,000,000	-	-	-	75,325,296	-	-	-	-
7/10/1998	W/H TAX DIV SLB	(631)	-	(631)	-	-	75,324,665	-	-	-	(631)
7/13/1998	W/H TAX DIV WMT	(1,168)	-	(1,168)	-	-	75,323,497	-	-	-	(1,168)
7/15/1998	W/H TAX DIV C	(1,754)	-	(1,754)	-	-	75,321,743	-	-	-	(1,754)
7/15/1998	W/H TAX DIV HWP	(1,137)	-	(1,137)	-	-	75,320,606	-	-	-	(1,137)

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	<u>Transaction Description</u>	<u>Transaction Amount Reported in Customer Statement</u>	<u>Cash Deposits</u>	<u>Cash Withdrawals</u>	<u>Transfers of Principal In</u>	<u>Transfers of Principal Out</u>	<u>Balance of Principal</u>	<u>90-Day Preferential Transfers</u>	<u>2-Year Cash Withdrawals</u>	<u>6-Year Cash Withdrawals</u>	<u>Full History Cash Withdrawals</u>
7/22/1998	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(36)	-	(36)	-	-	75,320,570	-	-	-	(36)
7/27/1998	W/H TAX DIV GE	(6,590)	-	(6,590)	-	-	75,313,980	-	-	-	(6,590)
8/3/1998	W/H TAX DIV BEL	(4,033)	-	(4,033)	-	-	75,309,947	-	-	-	(4,033)
8/3/1998	W/H TAX DIV BMY	(2,626)	-	(2,626)	-	-	75,307,321	-	-	-	(2,626)
8/3/1998	W/H TAX DIV T	(3,580)	-	(3,580)	-	-	75,303,740	-	-	-	(3,580)
8/3/1998	W/H TAX DIV AIT	(2,213)	-	(2,213)	-	-	75,301,527	-	-	-	(2,213)
8/5/1998	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(9)	-	(9)	-	-	75,301,517	-	-	-	(9)
8/7/1998	CHECK WIRE	10,000,000	10,000,000	-	-	-	85,301,517	-	-	-	-
8/10/1998	W/H TAX DIV AXP	(734)	-	(734)	-	-	85,300,784	-	-	-	(734)
9/4/1998	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(8)	-	(8)	-	-	85,300,776	-	-	-	(8)
9/11/1998	W/H TAX DIV MCD	(425)	-	(425)	-	-	85,300,350	-	-	-	(425)
9/30/1998	W/H TAX DIV PEP	(454)	-	(454)	-	-	85,299,896	-	-	-	(454)
10/15/1998	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(2)	-	(2)	-	-	85,299,894	-	-	-	(2)
10/21/1998	CHECK WIRE	1,000,000	1,000,000	-	-	-	86,299,894	-	-	-	-
11/13/1998	CHECK WIRE	5,000,000	5,000,000	-	-	-	91,299,894	-	-	-	-
11/23/1998	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(19)	-	(19)	-	-	91,299,875	-	-	-	(19)
12/11/1998	W/H TAX DIV MCD	(314)	-	(314)	-	-	91,299,561	-	-	-	(314)
12/15/1998	W/H TAX DIV KO	(1,856)	-	(1,856)	-	-	91,297,705	-	-	-	(1,856)
12/18/1998	W/H TAX DIV AIG	(293)	-	(293)	-	-	91,297,413	-	-	-	(293)
12/22/1998	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(38)	-	(38)	-	-	91,297,374	-	-	-	(38)
12/23/1998	W/H TAX DIV BAC	(3,920)	-	(3,920)	-	-	91,293,454	-	-	-	(3,920)
1/4/1999	W/H TAX DIV MRK	(3,269)	-	(3,269)	-	-	91,290,185	-	-	-	(3,269)
1/4/1999	W/H TAX DIV PEP	(961)	-	(961)	-	-	91,289,224	-	-	-	(961)
1/4/1999	W/H TAX DIV ONE	(2,207)	-	(2,207)	-	-	91,287,017	-	-	-	(2,207)
1/11/1999	W/H TAX DIV WMT	(855)	-	(855)	-	-	91,286,162	-	-	-	(855)
1/13/1999	CHECK WIRE	5,000,000	5,000,000	-	-	-	96,286,162	-	-	-	-
1/14/1999	CHECK WIRE	3,000,000	3,000,000	-	-	-	99,286,162	-	-	-	-
1/22/1999	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(2)	-	(2)	-	-	99,286,159	-	-	-	(2)
1/27/1999	CHECK WIRE	1,500,000	1,500,000	-	-	-	100,786,159	-	-	-	-
2/10/1999	CHECK WIRE	5,000,000	5,000,000	-	-	-	105,786,159	-	-	-	-
2/16/1999	W/H TAX DIV PG	(2,511)	-	(2,511)	-	-	105,783,649	-	-	-	(2,511)
2/16/1999	W/H TAX DIV TXN	(324)	-	(324)	-	-	105,783,324	-	-	-	(324)
2/24/1999	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	(1)	-	-	105,783,323	-	-	-	(1)
2/26/1999	W/H TAX DIV C	(3,854)	-	(3,854)	-	-	105,779,469	-	-	-	(3,854)
3/1/1999	W/H TAX DIV F	(5,244)	-	(5,244)	-	-	105,774,225	-	-	-	(5,244)
3/1/1999	W/H TAX DIV INTC	(629)	-	(629)	-	-	105,773,596	-	-	-	(629)
3/1/1999	W/H TAX DIV WFC	(2,806)	-	(2,806)	-	-	105,770,790	-	-	-	(2,806)
3/3/1999	W/H TAX DIV BA	(1,271)	-	(1,271)	-	-	105,769,518	-	-	-	(1,271)
3/4/1999	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(3)	-	(3)	-	-	105,769,515	-	-	-	(3)
3/8/1999	CHECK WIRE	5,000,000	5,000,000	-	-	-	110,769,515	-	-	-	-
3/9/1999	W/H TAX DIV JNJ	(3,122)	-	(3,122)	-	-	110,766,393	-	-	-	(3,122)
3/10/1999	W/H TAX DIV IBM	(2,008)	-	(2,008)	-	-	110,764,385	-	-	-	(2,008)
3/10/1999	W/H TAX DIV XON	(5,877)	-	(5,877)	-	-	110,758,508	-	-	-	(5,877)
3/10/1999	W/H TAX DIV GM	(3,122)	-	(3,122)	-	-	110,755,386	-	-	-	(3,122)
3/15/1999	W/H TAX DIV DD	(3,702)	-	(3,702)	-	-	110,751,684	-	-	-	(3,702)
3/31/1999	W/H TAX DIV MCD	(613)	-	(613)	-	-	110,751,071	-	-	-	(613)
3/31/1999	W/H TAX DIV PEP	(1,827)	-	(1,827)	-	-	110,749,244	-	-	-	(1,827)
4/1/1999	W/H TAX DIV KO	(3,778)	-	(3,778)	-	-	110,745,466	-	-	-	(3,778)
4/1/1999	W/H TAX DIV ONE	(4,769)	-	(4,769)	-	-	110,740,697	-	-	-	(4,769)
4/9/1999	CHECK WIRE	4,000,000	4,000,000	-	-	-	114,740,697	-	-	-	-
4/14/1999	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(35)	-	(35)	-	-	114,740,662	-	-	-	(35)
4/19/1999	W/H TAX DIV WMT	(2,182)	-	(2,182)	-	-	114,738,480	-	-	-	(2,182)
4/22/1999	CHECK WIRE	(2,000,000)	-	(2,000,000)	-	-	112,738,480	-	-	-	(2,000,000)
4/26/1999	W/H TAX DIV GE	(2,070)	-	(2,070)	-	-	112,736,410	-	-	-	(2,070)
5/5/1999	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(14)	-	(14)	-	-	112,736,396	-	-	-	(14)
5/14/1999	W/H TAX DIV PG	(598)	-	(598)	-	-	112,735,799	-	-	-	(598)
5/14/1999	CHECK WIRE A/O 5/11/99 (1FN061)	7,000,000	-	-	7,000,000	-	119,735,799	-	-	-	-
5/24/1999	W/H TAX DIV TXN	(51)	-	(51)	-	-	119,735,748	-	-	-	(51)
5/28/1999	W/H TAX DIV C	(755)	-	(755)	-	-	119,734,992	-	-	-	(755)
6/1/1999	W/H TAX DIV F	(873)	-	(873)	-	-	119,734,119	-	-	-	(873)
6/1/1999	W/H TAX DIV LU	(160)	-	(160)	-	-	119,733,959	-	-	-	(160)
6/1/1999	W/H TAX DIV INTC	(515)	-	(515)	-	-	119,733,445	-	-	-	(515)
6/1/1999	W/H TAX DIV WFC	(1,650)	-	(1,650)	-	-	119,731,794	-	-	-	(1,650)
6/4/1999	W/H TAX DIV BA	(1,301)	-	(1,301)	-	-	119,730,493	-	-	-	(1,301)
6/8/1999	CHECK WIRE	5,000,000	5,000,000	-	-	-	124,730,493	-	-	-	-
6/8/1999	W/H TAX DIV JNJ	(3,558)	-	(3,558)	-	-	124,726,935	-	-	-	(3,558)
6/10/1999	W/H TAX DIV IBM	(1,119)	-	(1,119)	-	-	124,725,816	-	-	-	(1,119)
6/10/1999	W/H TAX DIV MOB	(4,320)	-	(4,320)	-	-	124,721,497	-	-	-	(4,320)
6/10/1999	W/H TAX DIV GM	(3,134)	-	(3,134)	-	-	124,718,362	-	-	-	(3,134)
6/10/1999	W/H TAX DIV XON	(9,558)	-	(9,558)	-	-	124,708,805	-	-	-	(9,558)

Page 6 of 23 - 1FN086



BLMIS ACCOUNT NO. 1FN086 BLMIS ACCOUNT NO. 1FN086 LTD

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	Transaction Description	Transaction Amount Reported in Customer Statement	Cash Deposits	Cash Withdrawals	Transfers of Principal In	Transfers of Principal Out	Balance of Principal	90-Day Preferential Transfers	2-Year Cash Withdrawals	6-Year Cash Withdrawals	Full History Cash Withdrawals
2/24/2000	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(78)	-	(78)	-	-	172,071,406	-	-	-	(78)
2/25/2000	W/H TAX DIV C	(6,718)	-	(6,718)	-	-	172,064,688	-	-	-	(6,718)
2/28/2000	CHECK WIRE	3,000,000	3,000,000	-	-	-	175,064,688	-	-	-	-
3/1/2000	W/H TAX DIV F	(7,600)	-	(7,600)	-	-	175,057,088	-	-	-	(7,600)
3/1/2000	W/H TAX DIV WFC	(4,437)	-	(4,437)	-	-	175,052,651	-	-	-	(4,437)
3/1/2000	W/H TAX DIV INTC	(1,246)	-	(1,246)	-	-	175,051,406	-	-	-	(1,246)
3/1/2000	W/H TAX DIV LU	(745)	-	(745)	-	-	175,050,660	-	-	-	(745)
3/3/2000	W/H TAX DIV BA	(1,621)	-	(1,621)	-	-	175,049,040	-	-	-	(1,621)
3/7/2000	W/H TAX DIV JNJ	(4,862)	-	(4,862)	-	-	175,044,178	-	-	-	(4,862)
3/10/2000	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(6)	-	(6)	-	-	175,044,173	-	-	-	(6)
3/10/2000	W/H TAX DIV GM	(3,971)	-	(3,971)	-	-	175,040,202	-	-	-	(3,971)
3/10/2000	W/H TAX DIV XOM	(18,900)	-	(18,900)	-	-	175,021,302	-	-	-	(18,900)
3/10/2000	W/H TAX DIV IBM	(2,619)	-	(2,619)	-	-	175,018,683	-	-	-	(2,619)
3/14/2000	W/H TAX DIV DD	(4,567)	-	(4,567)	-	-	175,014,116	-	-	-	(4,567)
3/23/2000	W/H TAX DIV HD	(378)	-	(378)	-	-	175,013,738	-	-	-	(378)
3/31/2000	W/H TAX DIV PEP	(1,661)	-	(1,661)	-	-	175,012,077	-	-	-	(1,661)
4/3/2000	W/H TAX DIV KO	(5,430)	-	(5,430)	-	-	175,006,647	-	-	-	(5,430)
4/10/2000	W/H TAX DIV WMT	(3,510)	-	(3,510)	-	-	175,003,136	-	-	-	(3,510)
4/11/2000	CHECK WIRE	(4,000,000)	-	(4,000,000)	-	-	171,003,136	-	-	-	(4,000,000)
4/20/2000	CHECK WIRE	(8,000,000)	-	(8,000,000)	-	-	163,003,136	-	-	-	(8,000,000)
4/25/2000	W/H TAX DIV GE	(5,632)	-	(5,632)	-	-	162,997,504	-	-	-	(5,632)
4/28/2000	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(9)	-	(9)	-	-	162,997,494	-	-	-	(9)
4/28/2000	W/H TAX DIV MWD	(758)	-	(758)	-	-	162,996,736	-	-	-	(758)
5/12/2000	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(15)	-	(15)	-	-	162,996,721	-	-	-	(15)
5/15/2000	CHECK WIRE	5,000,000	5,000,000	-	-	-	167,996,721	-	-	-	-
5/23/2000	CHECK WIRE	(10,000,000)	-	(10,000,000)	-	-	157,996,721	-	-	-	(10,000,000)
6/1/2000	W/H TAX DIV INTC	(524)	-	(524)	-	-	157,996,197	-	-	-	(524)
6/1/2000	W/H TAX DIV WFC	(1,922)	-	(1,922)	-	-	157,994,275	-	-	-	(1,922)
6/5/2000	CHECK WIRE	10,000,000	10,000,000	-	-	-	167,994,275	-	-	-	-
6/9/2000	CHECK WIRE	8,000,000	8,000,000	-	-	-	175,994,275	-	-	-	-
6/9/2000	CHECK WIRE	9,000,000	9,000,000	-	-	-	184,994,275	-	-	-	-
6/12/2000	W/H TAX DIV XOM	(17,941)	-	(17,941)	-	-	184,976,334	-	-	-	(17,941)
6/12/2000	W/H TAX DIV IBM	(1,234)	-	(1,234)	-	-	184,975,099	-	-	-	(1,234)
6/12/2000	W/H TAX DIV DD	(4,228)	-	(4,228)	-	-	184,970,871	-	-	-	(4,228)
6/12/2000	W/H TAX DIV GM	(1,709)	-	(1,709)	-	-	184,969,162	-	-	-	(1,709)
6/13/2000	W/H TAX DIV JNJ	(2,741)	-	(2,741)	-	-	184,966,421	-	-	-	(2,741)
6/19/2000	TRANS TO 1FN06130 (1FN061)	(8,000,000)	-	-	-	(8,000,000)	176,966,421	-	-	-	-
6/21/2000	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(29)	-	(29)	-	-	176,966,392	-	-	-	(29)
6/22/2000	CHECK WIRE	(10,000,000)	-	(10,000,000)	-	-	166,966,392	-	-	-	(10,000,000)
7/10/2000	W/H TAX DIV WMT	(951)	-	(951)	-	-	166,965,441	-	-	-	(951)
7/18/2000	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(9)	-	(9)	-	-	166,965,432	-	-	-	(9)
8/15/2000	W/H TAX DIV PG	(2,739)	-	(2,739)	-	-	166,962,694	-	-	-	(2,739)
8/15/2000	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(11)	-	(11)	-	-	166,962,682	-	-	-	(11)
8/21/2000	W/H TAX DIV TXN	(384)	-	(384)	-	-	166,962,299	-	-	-	(384)
8/23/2000	CHECK WIRE	(10,000,000)	-	(10,000,000)	-	-	156,962,299	-	-	-	(10,000,000)
8/24/2000	W/H TAX DIV MER	(1,374)	-	(1,374)	-	-	156,960,925	-	-	-	(1,374)
8/25/2000	W/H TAX DIV C	(7,053)	-	(7,053)	-	-	156,953,872	-	-	-	(7,053)
9/1/2000	W/H TAX DIV LU	(782)	-	(782)	-	-	156,953,090	-	-	-	(782)
9/1/2000	W/H TAX DIV WFC	(4,061)	-	(4,061)	-	-	156,949,029	-	-	-	(4,061)
9/1/2000	W/H TAX DIV INTC	(1,529)	-	(1,529)	-	-	156,947,500	-	-	-	(1,529)
9/11/2000	W/H TAX DIV XOM	(9,767)	-	(9,767)	-	-	156,937,733	-	-	-	(9,767)
9/11/2000	W/H TAX DIV IBM	(2,680)	-	(2,680)	-	-	156,935,053	-	-	-	(2,680)
9/15/2000	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(28)	-	(28)	-	-	156,935,025	-	-	-	(28)
9/22/2000	CHECK WIRE	(10,000,000)	-	(10,000,000)	-	-	146,935,025	-	-	-	(10,000,000)
10/2/2000	W/H TAX DIV KO	(2,827)	-	(2,827)	-	-	146,932,199	-	-	-	(2,827)
10/4/2000	CHECK WIRE	2,000,000	2,000,000	-	-	-	148,932,199	-	-	-	-
10/5/2000	W/H TAX DIV AV	(2)	-	(2)	-	-	148,932,197	-	-	-	(2)
10/10/2000	W/H TAX DIV WMT	(1,810)	-	(1,810)	-	-	148,930,387	-	-	-	(1,810)
10/11/2000	W/H TAX DIV HWP	(1,795)	-	(1,795)	-	-	148,928,592	-	-	-	(1,795)
10/18/2000	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(12)	-	(12)	-	-	148,928,580	-	-	-	(12)
10/25/2000	W/H TAX DIV GE	(15,259)	-	(15,259)	-	-	148,913,321	-	-	-	(15,259)
10/27/2000	W/H TAX DIV MWD	(2,574)	-	(2,574)	-	-	148,910,747	-	-	-	(2,574)
11/1/2000	W/H TAX DIV VZ	(11,837)	-	(11,837)	-	-	148,898,909	-	-	-	(11,837)
11/1/2000	W/H TAX DIV T	(9,450)	-	(9,450)	-	-	148,889,459	-	-	-	(9,450)
11/1/2000	W/H TAX DIV BMV	(5,475)	-	(5,475)	-	-	148,883,984	-	-	-	(5,475)
11/10/2000	W/H TAX DIV AXP	(1,202)	-	(1,202)	-	-	148,882,782	-	-	-	(1,202)
12/12/2000	W/H TAX DIV JNJ	(1,034)	-	(1,034)	-	-	148,881,748	-	-	-	(1,034)
12/18/2000	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(173)	-	(173)	-	-	148,881,575	-	-	-	(173)
12/26/2000	CHECK WIRE	17,000,000	17,000,000	-	-	-	165,881,575	-	-	-	-
1/12/2001	CHECK WIRE	10,000,000	10,000,000	-	-	-	175,881,575	-	-	-	-

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	Transaction Description	Transaction Amount Reported in Customer Statement	Cash Deposits	Cash Withdrawals	Transfers of Principal In	Transfers of Principal Out	Balance of Principal	90-Day Preferential Transfers	2-Year Cash Withdrawals	6-Year Cash Withdrawals	Full History Cash Withdrawals
1/18/2001	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(24)	-	(24)	-	-	175,881,551	-	-	-	(24)
1/30/2001	W/H TAX DIV MWD	(1,426)	-	(1,426)	-	-	175,880,125	-	-	-	(1,426)
2/1/2001	W/H TAX DIV VZ	(5,967)	-	(5,967)	-	-	175,874,159	-	-	-	(5,967)
2/1/2001	W/H TAX DIV PHA	(903)	-	(903)	-	-	175,873,255	-	-	-	(903)
2/12/2001	W/H TAX DIV TXN	(523)	-	(523)	-	-	175,872,732	-	-	-	(523)
2/15/2001	W/H TAX DIV PG	(3,988)	-	(3,988)	-	-	175,868,744	-	-	-	(3,988)
2/22/2001	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(15)	-	(15)	-	-	175,868,729	-	-	-	(15)
2/23/2001	W/H TAX DIV C	(9,772)	-	(9,772)	-	-	175,858,958	-	-	-	(9,772)
3/1/2001	W/H TAX DIV WFC	(5,601)	-	(5,601)	-	-	175,853,356	-	-	-	(5,601)
3/1/2001	W/H TAX DIV LU	(551)	-	(551)	-	-	175,852,805	-	-	-	(551)
3/1/2001	W/H TAX DIV INTC	(1,938)	-	(1,938)	-	-	175,850,867	-	-	-	(1,938)
3/8/2001	W/H TAX DIV PFE	(10,036)	-	(10,036)	-	-	175,840,832	-	-	-	(10,036)
3/9/2001	W/H TAX DIV XOM	(20,912)	-	(20,912)	-	-	175,819,920	-	-	-	(20,912)
3/12/2001	W/H TAX DIV IBM	(3,304)	-	(3,304)	-	-	175,816,615	-	-	-	(3,304)
3/13/2001	W/H TAX DIV JNJ	(2,674)	-	(2,674)	-	-	175,813,942	-	-	-	(2,674)
3/19/2001	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(77)	-	(77)	-	-	175,813,865	-	-	-	(77)
3/22/2001	W/H TAX DIV HD	(272)	-	(272)	-	-	175,813,593	-	-	-	(272)
3/30/2001	W/H TAX DIV PEP	(625)	-	(625)	-	-	175,812,968	-	-	-	(625)
4/2/2001	W/H TAX DIV KO	(1,311)	-	(1,311)	-	-	175,811,657	-	-	-	(1,311)
4/2/2001	W/H TAX DIV MRK	(2,236)	-	(2,236)	-	-	175,809,421	-	-	-	(2,236)
4/9/2001	W/H TAX DIV WMT	(3,567)	-	(3,567)	-	-	175,805,854	-	-	-	(3,567)
4/11/2001	W/H TAX DIV HWP	(1,870)	-	(1,870)	-	-	175,803,985	-	-	-	(1,870)
4/24/2001	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(18)	-	(18)	-	-	175,803,967	-	-	-	(18)
4/27/2001	W/H TAX DIV MWD	(2,919)	-	(2,919)	-	-	175,801,048	-	-	-	(2,919)
4/30/2001	W/H TAX DIV JPM	(7,341)	-	(7,341)	-	-	175,793,707	-	-	-	(7,341)
5/1/2001	W/H TAX DIV BMY	(6,117)	-	(6,117)	-	-	175,787,590	-	-	-	(6,117)
5/1/2001	W/H TAX DIV T	(1,619)	-	(1,619)	-	-	175,785,970	-	-	-	(1,619)
5/1/2001	W/H TAX DIV PHA	(1,787)	-	(1,787)	-	-	175,784,183	-	-	-	(1,787)
5/1/2001	W/H TAX DIV VZ	(11,990)	-	(11,990)	-	-	175,772,193	-	-	-	(11,990)
5/2/2001	W/H TAX DIV TYC	(256)	-	(256)	-	-	175,771,937	-	-	-	(256)
5/10/2001	W/H TAX DIV AXP	(1,210)	-	(1,210)	-	-	175,770,727	-	-	-	(1,210)
5/15/2001	W/H TAX DIV PG	(5,212)	-	(5,212)	-	-	175,765,515	-	-	-	(5,212)
6/20/2001	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(121)	-	(121)	-	-	175,765,394	-	-	-	(121)
7/9/2001	W/H TAX DIV WMT	(3,015)	-	(3,015)	-	-	175,762,379	-	-	-	(3,015)
7/11/2001	W/H TAX DIV XOM	(293)	-	(293)	-	-	175,762,085	-	-	-	(293)
7/11/2001	W/H TAX DIV HWP	(654)	-	(654)	-	-	175,761,431	-	-	-	(654)
7/23/2001	W/H TAX DIV MWD	(4,186)	-	(4,186)	-	-	175,757,245	-	-	-	(4,186)
7/25/2001	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(33)	-	(33)	-	-	175,757,212	-	-	-	(33)
7/25/2001	W/H TAX DIV GE	(25,369)	-	(25,369)	-	-	175,731,843	-	-	-	(25,369)
7/31/2001	W/H TAX DIV JPM	(10,864)	-	(10,864)	-	-	175,720,979	-	-	-	(10,864)
8/1/2001	W/H TAX DIV PHA	(2,835)	-	(2,835)	-	-	175,718,144	-	-	-	(2,835)
8/1/2001	W/H TAX DIV VZ	(16,552)	-	(16,552)	-	-	175,701,591	-	-	-	(16,552)
8/1/2001	W/H TAX DIV BMY	(8,346)	-	(8,346)	-	-	175,693,246	-	-	-	(8,346)
8/1/2001	W/H TAX DIV TYC	(374)	-	(374)	-	-	175,692,872	-	-	-	(374)
8/10/2001	W/H TAX DIV AXP	(1,720)	-	(1,720)	-	-	175,691,152	-	-	-	(1,720)
8/15/2001	W/H TAX DIV PG	(3,603)	-	(3,603)	-	-	175,687,549	-	-	-	(3,603)
8/20/2001	CHECK WIRE	10,000,000	10,000,000	-	-	-	185,687,549	-	-	-	-
8/24/2001	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(8)	-	(8)	-	-	185,687,541	-	-	-	(8)
9/13/2001	W/H TAX DIV HD	(1,647)	-	(1,647)	-	-	185,685,893	-	-	-	(1,647)
9/28/2001	W/H TAX DIV BAC	(15,718)	-	(15,718)	-	-	185,670,175	-	-	-	(15,718)
9/28/2001	W/H TAX DIV PEP	(4,546)	-	(4,546)	-	-	185,665,629	-	-	-	(4,546)
10/1/2001	W/H TAX DIV MRK	(14,245)	-	(14,245)	-	-	185,651,384	-	-	-	(14,245)
10/1/2001	W/H TAX DIV KO	(7,831)	-	(7,831)	-	-	185,643,554	-	-	-	(7,831)
10/9/2001	W/H TAX DIV WMT	(5,535)	-	(5,535)	-	-	185,638,018	-	-	-	(5,535)
10/10/2001	W/H TAX DIV HWP	(2,772)	-	(2,772)	-	-	185,635,247	-	-	-	(2,772)
10/15/2001	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(47)	-	(47)	-	-	185,635,199	-	-	-	(47)
10/25/2001	W/H TAX DIV GE	(28,300)	-	(28,300)	-	-	185,606,899	-	-	-	(28,300)
10/26/2001	W/H TAX DIV MWD	(4,631)	-	(4,631)	-	-	185,602,269	-	-	-	(4,631)
10/31/2001	W/H TAX DIV JPM	(11,929)	-	(11,929)	-	-	185,590,340	-	-	-	(11,929)
11/1/2001	W/H TAX DIV TYC	(433)	-	(433)	-	-	185,589,907	-	-	-	(433)
11/1/2001	W/H TAX DIV PHA	(3,031)	-	(3,031)	-	-	185,586,875	-	-	-	(3,031)
11/1/2001	W/H TAX DIV VZ	(18,371)	-	(18,371)	-	-	185,568,505	-	-	-	(18,371)
11/1/2001	W/H TAX DIV BMY	(9,515)	-	(9,515)	-	-	185,558,990	-	-	-	(9,515)
11/1/2001	W/H TAX DIV T	(2,299)	-	(2,299)	-	-	185,556,691	-	-	-	(2,299)
11/5/2001	CHECK WIRE	10,000,000	10,000,000	-	-	-	195,556,691	-	-	-	-
11/9/2001	W/H TAX DIV AXP	(1,874)	-	(1,874)	-	-	195,554,817	-	-	-	(1,874)
11/15/2001	W/H TAX DIV PG	(8,533)	-	(8,533)	-	-	195,546,285	-	-	-	(8,533)
11/19/2001	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(16)	-	(16)	-	-	195,546,268	-	-	-	(16)
11/19/2001	W/H TAX DIV TXN	(666)	-	(666)	-	-	195,545,602	-	-	-	(666)
11/21/2001	W/H TAX DIV C	(14,301)	-	(14,301)	-	-	195,531,301	-	-	-	(14,301)

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	<u>Transaction Description</u>	<u>Transaction Amount Reported in Customer Statement</u>	<u>Cash Deposits</u>	<u>Cash Withdrawals</u>	<u>Transfers of Principal In</u>	<u>Transfers of Principal Out</u>	<u>Balance of Principal</u>	<u>90-Day Preferential Transfers</u>	<u>2-Year Cash Withdrawals</u>	<u>6-Year Cash Withdrawals</u>	<u>Full History Cash Withdrawals</u>
12/3/2001	W/H TAX DIV INTC	(2,424)	-	(2,424)	-	-	195,528,877	-	-	-	(2,424)
12/3/2001	W/H TAX DIV MCD	(4,946)	-	(4,946)	-	-	195,523,930	-	-	-	(4,946)
12/3/2001	W/H TAX DIV WFC	(7,913)	-	(7,913)	-	-	195,516,017	-	-	-	(7,913)
12/6/2001	W/H TAX DIV PFE	(8,084)	-	(8,084)	-	-	195,507,933	-	-	-	(8,084)
12/10/2001	W/H TAX DIV XOM	(28,313)	-	(28,313)	-	-	195,479,620	-	-	-	(28,313)
12/10/2001	W/H TAX DIV IBM	(4,322)	-	(4,322)	-	-	195,475,297	-	-	-	(4,322)
12/14/2001	W/H TAX DIV DD	(6,252)	-	(6,252)	-	-	195,469,045	-	-	-	(6,252)
12/31/2001	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	(1)	-	-	195,469,045	-	-	-	(1)
1/7/2002	W/H TAX DIV WMT	(1,056)	-	(1,056)	-	-	195,467,989	-	-	-	(1,056)
1/10/2002	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(6)	-	(6)	-	-	195,467,983	-	-	-	(6)
1/25/2002	W/H TAX DIV MWD	(3,380)	-	(3,380)	-	-	195,464,604	-	-	-	(3,380)
2/1/2002	W/H TAX DIV VZ	(13,753)	-	(13,753)	-	-	195,450,851	-	-	-	(13,753)
2/1/2002	W/H TAX DIV PHA	(2,289)	-	(2,289)	-	-	195,448,562	-	-	-	(2,289)
2/1/2002	W/H TAX DIV SBC	(11,385)	-	(11,385)	-	-	195,437,177	-	-	-	(11,385)
2/1/2002	W/H TAX DIV TXN	(654)	-	(654)	-	-	195,436,523	-	-	-	(654)
2/15/2002	W/H TAX DIV PG	(8,673)	-	(8,673)	-	-	195,427,850	-	-	-	(8,673)
2/21/2002	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(10)	-	(10)	-	-	195,427,840	-	-	-	(10)
2/22/2002	W/H TAX DIV C	(14,463)	-	(14,463)	-	-	195,413,377	-	-	-	(14,463)
3/1/2002	W/H TAX DIV INTC	(2,440)	-	(2,440)	-	-	195,410,937	-	-	-	(2,440)
3/1/2002	W/H TAX DIV WFC	(7,912)	-	(7,912)	-	-	195,403,025	-	-	-	(7,912)
3/6/2002	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(0)	-	(0)	-	-	195,403,024	-	-	-	(0)
3/7/2002	W/H TAX DIV PFE	(14,505)	-	(14,505)	-	-	195,388,519	-	-	-	(14,505)
3/11/2002	W/H TAX DIV IBM	(4,260)	-	(4,260)	-	-	195,384,259	-	-	-	(4,260)
3/11/2002	W/H TAX DIV XOM	(27,931)	-	(27,931)	-	-	195,356,328	-	-	-	(27,931)
3/1/2002	W/H TAX DIV BUD	(3,119)	-	(3,119)	-	-	195,353,209	-	-	-	(3,119)
3/12/2002	W/H TAX DIV JNJ	(6,075)	-	(6,075)	-	-	195,347,134	-	-	-	(6,075)
3/14/2002	W/H TAX DIV DD	(6,391)	-	(6,391)	-	-	195,340,743	-	-	-	(6,391)
3/15/2002	W/H TAX DIV AIG	(886)	-	(886)	-	-	195,339,857	-	-	-	(886)
3/22/2002	W/H TAX DIV BAC	(7,732)	-	(7,732)	-	-	195,332,125	-	-	-	(7,732)
3/28/2002	W/H TAX DIV HD	(2,167)	-	(2,167)	-	-	195,329,958	-	-	-	(2,167)
4/1/2002	W/H TAX DIV KO	(9,410)	-	(9,410)	-	-	195,320,548	-	-	-	(9,410)
4/1/2002	W/H TAX DIV ONE	(2,536)	-	(2,536)	-	-	195,318,012	-	-	-	(2,536)
4/1/2002	W/H TAX DIV MRK	(15,086)	-	(15,086)	-	-	195,302,926	-	-	-	(15,086)
4/1/2002	W/H TAX DIV PEP	(4,705)	-	(4,705)	-	-	195,298,221	-	-	-	(4,705)
4/10/2002	W/H TAX DIV MO	(23,525)	-	(23,525)	-	-	195,274,696	-	-	-	(23,525)
4/18/2002	W/H TAX DIV WMT	(6,293)	-	(6,293)	-	-	195,268,403	-	-	-	(6,293)
4/23/2002	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(15)	-	(15)	-	-	195,268,389	-	-	-	(15)
4/25/2002	W/H TAX DIV GE	(14,719)	-	(14,719)	-	-	195,253,670	-	-	-	(14,719)
4/26/2002	W/H TAX DIV MDT	(1,306)	-	(1,306)	-	-	195,252,364	-	-	-	(1,306)
4/26/2002	W/H TAX DIV MWD	(4,743)	-	(4,743)	-	-	195,247,621	-	-	-	(4,743)
4/30/2002	W/H TAX DIV JPM	(12,687)	-	(12,687)	-	-	195,234,933	-	-	-	(12,687)
5/1/2002	W/H TAX DIV SBC	(17,147)	-	(17,147)	-	-	195,217,786	-	-	-	(17,147)
5/1/2002	W/H TAX DIV VZ	(19,811)	-	(19,811)	-	-	195,197,976	-	-	-	(19,811)
5/1/2002	W/H TAX DIV TYC	(475)	-	(475)	-	-	195,197,501	-	-	-	(475)
5/1/2002	W/H TAX DIV T	(2,494)	-	(2,494)	-	-	195,195,006	-	-	-	(2,494)
5/1/2002	W/H TAX DIV PHA	(3,285)	-	(3,285)	-	-	195,191,721	-	-	-	(3,285)
5/1/2002	W/H TAX DIV BMY	(10,254)	-	(10,254)	-	-	195,181,467	-	-	-	(10,254)
5/10/2002	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(5)	-	(5)	-	-	195,181,462	-	-	-	(5)
5/14/2002	CHECK WIRE	10,000,000	10,000,000	-	-	-	205,181,462	-	-	-	-
5/15/2002	W/H TAX DIV PG	(4,883)	-	(4,883)	-	-	205,176,579	-	-	-	(4,883)
5/24/2002	W/H TAX DIV C	(9,647)	-	(9,647)	-	-	205,166,932	-	-	-	(9,647)
6/3/2002	W/H TAX DIV INTC	(1,368)	-	(1,368)	-	-	205,165,564	-	-	-	(1,368)
6/3/2002	W/H TAX DIV WFC	(9,979)	-	(9,979)	-	-	205,155,584	-	-	-	(9,979)
6/6/2002	W/H TAX DIV PFE	(17,377)	-	(17,377)	-	-	205,138,207	-	-	-	(17,377)
6/10/2002	W/H TAX DIV IBM	(5,552)	-	(5,552)	-	-	205,132,655	-	-	-	(5,552)
6/10/2002	W/H TAX DIV BUD	(2,448)	-	(2,448)	-	-	205,130,207	-	-	-	(2,448)
6/10/2002	W/H TAX DIV XOM	(33,199)	-	(33,199)	-	-	205,097,008	-	-	-	(33,199)
6/11/2002	W/H TAX DIV JNJ	(4,767)	-	(4,767)	-	-	205,092,241	-	-	-	(4,767)
6/12/2002	W/H TAX DIV DD	(5,528)	-	(5,528)	-	-	205,086,714	-	-	-	(5,528)
6/25/2002	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(7)	-	(7)	-	-	205,086,707	-	-	-	(7)
6/27/2002	CHECK WIRE	10,000,000	10,000,000	-	-	-	215,086,707	-	-	-	-
7/10/2002	W/H TAX DIV MO	(4,147)	-	(4,147)	-	-	215,082,560	-	-	-	(4,147)
7/15/2002	W/H TAX DIV USB	(1,336)	-	(1,336)	-	-	215,081,224	-	-	-	(1,336)
7/19/2002	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(12)	-	(12)	-	-	215,081,212	-	-	-	(12)
7/25/2002	W/H TAX DIV GE	(6,381)	-	(6,381)	-	-	215,074,831	-	-	-	(6,381)
7/26/2002	W/H TAX DIV MDT	(261)	-	(261)	-	-	215,074,571	-	-	-	(261)
7/26/2002	W/H TAX DIV MWD	(891)	-	(891)	-	-	215,073,680	-	-	-	(891)
7/26/2002	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(0)	-	(0)	-	-	215,073,680	-	-	-	(0)
7/31/2002	W/H TAX DIV JPM	(2,431)	-	(2,431)	-	-	215,071,249	-	-	-	(2,431)
8/1/2002	W/H TAX DIV BMY	(1,918)	-	(1,918)	-	-	215,069,330	-	-	-	(1,918)

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	<u>Transaction Description</u>	<u>Transaction Amount Reported in Customer Statement</u>	<u>Cash Deposits</u>	<u>Cash Withdrawals</u>	<u>Transfers of Principal In</u>	<u>Transfers of Principal Out</u>	<u>Balance of Principal</u>	<u>90-Day Preferential Transfers</u>	<u>2-Year Cash Withdrawals</u>	<u>6-Year Cash Withdrawals</u>	<u>Full History Cash Withdrawals</u>
8/1/2002	W/H TAX DIV T	(503)	-	(503)	-	-	215,068,828	-	-	-	(503)
8/1/2002	W/H TAX DIV PHA	(603)	-	(603)	-	-	215,068,225	-	-	-	(603)
8/1/2002	W/H TAX DIV SBC	(3,137)	-	(3,137)	-	-	215,065,088	-	-	-	(3,137)
8/1/2002	W/H TAX DIV VZ	(3,670)	-	(3,670)	-	-	215,061,417	-	-	-	(3,670)
8/9/2002	W/H TAX DIV AXP	(357)	-	(357)	-	-	215,061,060	-	-	-	(357)
8/19/2002	W/H TAX DIV MON	(1)	-	(1)	-	-	215,061,059	-	-	-	(1)
8/19/2002	W/H TAX DIV TXN	(1,047)	-	(1,047)	-	-	215,060,012	-	-	-	(1,047)
8/23/2002	W/H TAX DIV C	(27,298)	-	(27,298)	-	-	215,032,714	-	-	-	(27,298)
8/26/2002	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(8)	-	(8)	-	-	215,032,707	-	-	-	(8)
9/3/2002	W/H TAX DIV WFC	(13,801)	-	(13,801)	-	-	215,018,905	-	-	-	(13,801)
9/3/2002	W/H TAX DIV INTC	(3,839)	-	(3,839)	-	-	215,015,066	-	-	-	(3,839)
9/5/2002	W/H TAX DIV G	(4,806)	-	(4,806)	-	-	215,010,260	-	-	-	(4,806)
9/5/2002	W/H TAX DIV PFE	(23,507)	-	(23,507)	-	-	214,986,753	-	-	-	(23,507)
9/6/2002	W/H TAX DIV BA	(4,037)	-	(4,037)	-	-	214,982,716	-	-	-	(4,037)
9/9/2002	W/H TAX DIV BUD	(4,806)	-	(4,806)	-	-	214,977,910	-	-	-	(4,806)
9/10/2002	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(5)	-	(5)	-	-	214,977,906	-	-	-	(5)
9/10/2002	W/H TAX DIV XOM	(44,420)	-	(44,420)	-	-	214,933,486	-	-	-	(44,420)
9/10/2002	W/H TAX DIV IBM	(7,259)	-	(7,259)	-	-	214,926,227	-	-	-	(7,259)
9/10/2002	W/H TAX DIV JNJ	(5,738)	-	(5,738)	-	-	214,920,489	-	-	-	(5,738)
9/12/2002	W/H TAX DIV DD	(9,809)	-	(9,809)	-	-	214,910,681	-	-	-	(9,809)
10/17/2002	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(21)	-	(21)	-	-	214,910,660	-	-	-	(21)
11/15/2002	W/H TAX DIV PG	(5,671)	-	(5,671)	-	-	214,904,989	-	-	-	(5,671)
11/15/2002	W/H TAX DIV CL	(1,635)	-	(1,635)	-	-	214,903,355	-	-	-	(1,635)
11/18/2002	W/H TAX DIV TXN	(580)	-	(580)	-	-	214,902,774	-	-	-	(580)
11/22/2002	W/H TAX DIV C	(14,461)	-	(14,461)	-	-	214,888,313	-	-	-	(14,461)
11/25/2002	W/H TAX DIV GS	(908)	-	(908)	-	-	214,887,405	-	-	-	(908)
11/27/2002	W/H TAX DIV MER	(2,264)	-	(2,264)	-	-	214,885,142	-	-	-	(2,264)
12/17/2002	CHECK WIRE	15,000,000	15,000,000	-	-	-	229,885,142	-	-	-	-
1/6/2003	W/H TAX DIV BUD	(2,747)	-	* <sup>(1)</sup>	-	-	229,885,142	-	-	-	-
1/6/2003	W/H TAX DIV PFE	(9,220)	-	* <sup>(1)</sup>	-	-	229,885,142	-	-	-	-
1/6/2003	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(49)	-	* <sup>(1)</sup>	-	-	229,885,142	-	-	-	-
1/6/2003	W/H TAX DIV BA	(1,644)	-	* <sup>(1)</sup>	-	-	229,885,142	-	-	-	-
1/6/2003	W/H TAX DIV G	(2,781)	-	* <sup>(1)</sup>	-	-	229,885,142	-	-	-	-
1/6/2003	W/H TAX DIV HCA	(182)	-	* <sup>(1)</sup>	-	-	229,885,142	-	-	-	-
1/6/2003	W/H TAX DIV WFC	(7,758)	-	* <sup>(1)</sup>	-	-	229,885,142	-	-	-	-
1/6/2003	W/H TAX DIV INTC	(2,161)	-	* <sup>(1)</sup>	-	-	229,885,142	-	-	-	-
1/6/2003	W/H TAX DIV XOM	(25,050)	-	* <sup>(1)</sup>	-	-	229,885,142	-	-	-	-
1/6/2003	W/H TAX DIV UTX	(1,316)	-	* <sup>(1)</sup>	-	-	229,885,142	-	-	-	-
1/6/2003	W/H TAX DIV DD	(4,022)	-	* <sup>(1)</sup>	-	-	229,885,142	-	-	-	-
1/6/2003	W/H TAX DIV IBM	(4,096)	-	* <sup>(1)</sup>	-	-	229,885,142	-	-	-	-
1/6/2003	W/H TAX DIV JNJ	(2,652)	-	* <sup>(1)</sup>	-	-	229,885,142	-	-	-	-
1/10/2003	CHECK WIRE	15,000,000	15,000,000	-	-	-	244,885,142	-	-	-	-
1/10/2003	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
1/28/2003	CHECK WIRE	15,000,000	15,000,000	-	-	-	259,885,142	-	-	-	-
1/31/2003	W/H TAX DIV MWD	(3,667)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
2/3/2003	W/H TAX DIV VZ	(15,603)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
2/3/2003	W/H TAX DIV PHA	(4,584)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
2/3/2003	W/H TAX DIV SBC	(13,275)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
2/10/2003	W/H TAX DIV TXN	(965)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
2/14/2003	W/H TAX DIV PFE	(24,353)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
2/14/2003	W/H TAX DIV CL	(2,620)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
2/14/2003	W/H TAX DIV PG	(13,922)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
2/27/2003	W/H TAX DIV GS	(1,455)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
2/28/2003	W/H TAX DIV C	(27,299)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
2/28/2003	W/H TAX DIV MER	(3,599)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
3/3/2003	W/H TAX DIV WFC	(13,451)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
3/3/2003	W/H TAX DIV INTC	(3,515)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
3/5/2003	W/H 1/31/03G	(4,527)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
3/7/2003	W/H TAX DIV MSFT	(17,703)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
3/7/2003	W/H TAX DIV BA	(3,711)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
3/10/2003	W/H TAX DIV BUD	(4,257)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
3/10/2003	W/H TAX DIV IBM	(6,648)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	Transaction Description	Transaction Amount Reported in Customer Statement	Cash Deposits	Cash Withdrawals	Transfers of Principal In	Transfers of Principal Out	Balance of Principal	90-Day Preferential Transfers	2-Year Cash Withdrawals	6-Year Cash Withdrawals	Full History Cash Withdrawals
3/10/2003	W/H TAX DIV UTX	(2,971)	-	* (1)	-	-	259,885,142	-	-	-	-
3/10/2003	W/H TAX DIV XOM	(40,842)	-	* (1)	-	-	259,885,142	-	-	-	-
3/11/2003	W/H TAX DIV JNJ	(16,016)	-	* (1)	-	-	259,885,142	-	-	-	-
3/12/2003	W/H TAX DIV MMM	(4,995)	-	* (1)	-	-	259,885,142	-	-	-	-
3/14/2003	W/H TAX DIV DD	(9,338)	-	* (1)	-	-	259,885,142	-	-	-	-
3/17/2003	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(42)	-	* (1)	-	-	259,885,142	-	-	-	-
4/7/2003	W/H TAX DIV WMT	(12,710)	-	* (1)	-	-	259,885,142	-	-	-	-
4/9/2003	W/H TAX DIV HPQ	(8,015)	-	* (1)	-	-	259,885,142	-	-	-	-
4/15/2003	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(19)	-	* (1)	-	-	259,885,142	-	-	-	-
5/9/2003	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(4)	-	* (1)	-	-	259,885,142	-	-	-	-
5/13/2003	CHECK WIRE	25,000,000	25,000,000	-	-	-	284,885,142	-	-	-	-
5/19/2003	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(11)	-	* (1)	-	-	284,885,142	-	-	-	-
5/28/2003	W/H TAX DIV MER	(3,130)	-	* (1)	-	-	284,885,142	-	-	-	-
5/30/2003	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	* (1)	-	-	284,885,142	-	-	-	-
6/2/2003	CHECK WIRE	10,000,000	10,000,000	-	-	-	294,885,142	-	-	-	-
6/2/2003	W/H TAX DIV WFC	(11,739)	-	* (1)	-	-	294,885,142	-	-	-	-
6/2/2003	W/H TAX DIV INTC	(1,694)	-	* (1)	-	-	294,885,142	-	-	-	-
6/5/2003	W/H TAX DIV PFE	(28,105)	-	* (1)	-	-	294,885,142	-	-	-	-
6/9/2003	W/H TAX DIV BUD	(3,815)	-	* (1)	-	-	294,885,142	-	-	-	-
6/10/2003	W/H TAX DIV JNJ	(16,695)	-	* (1)	-	-	294,885,142	-	-	-	-
6/10/2003	W/H TAX DIV UTX	(2,935)	-	* (1)	-	-	294,885,142	-	-	-	-
6/10/2003	W/H TAX DIV IBM	(6,261)	-	* (1)	-	-	294,885,142	-	-	-	-
6/10/2003	W/H TAX DIV XOM	(39,378)	-	* (1)	-	-	294,885,142	-	-	-	-
6/12/2003	W/H TAX DIV MMM	(5,739)	-	* (1)	-	-	294,885,142	-	-	-	-
6/12/2003	W/H TAX DIV DD	(8,369)	-	* (1)	-	-	294,885,142	-	-	-	-
6/20/2003	W/H TAX DIV AIG	(3,752)	-	* (1)	-	-	294,885,142	-	-	-	-
6/25/2003	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(8)	-	* (1)	-	-	294,885,142	-	-	-	-
6/26/2003	W/H TAX DIV HD	(4,288)	-	* (1)	-	-	294,885,142	-	-	-	-
6/27/2003	W/H TAX DIV BAC	(29,307)	-	* (1)	-	-	294,885,142	-	-	-	-
6/30/2003	W/H TAX DIV PEP	(8,455)	-	* (1)	-	-	294,885,142	-	-	-	-
7/1/2003	W/H TAX DIV ONE	(7,587)	-	* (1)	-	-	294,885,142	-	-	-	-
7/1/2003	W/H TAX DIV MRK	(24,507)	-	* (1)	-	-	294,885,142	-	-	-	-
7/1/2003	W/H TAX DIV KO	(16,815)	-	* (1)	-	-	294,885,142	-	-	-	-
7/1/2003	W/H TAX DIV ALL	(4,000)	-	* (1)	-	-	294,885,142	-	-	-	-
7/3/2003	W/H TAX DIV SLB	(2,446)	-	* (1)	-	-	294,885,142	-	-	-	-
7/7/2003	W/H TAX DIV WMT	(5,675)	-	* (1)	-	-	294,885,142	-	-	-	-
7/8/2003	W/H TAX DIV MO	(40,663)	-	* (1)	-	-	294,885,142	-	-	-	-
7/9/2003	W/H TAX DIV HPQ	(7,501)	-	* (1)	-	-	294,885,142	-	-	-	-
7/10/2003	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(3)	-	* (1)	-	-	294,885,142	-	-	-	-
7/17/2003	CHECK WIRE	(15,000,000)	-	(15,000,000)	-	-	279,885,142	-	-	(15,000,000)	(15,000,000)
7/21/2003	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	* (1)	-	-	279,885,142	-	-	-	-
7/31/2003	W/H TAX DIV MWD	(7,354)	-	* (1)	-	-	279,885,142	-	-	-	-
8/1/2003	W/H TAX DIV SBC	(36,692)	-	* (1)	-	-	279,885,142	-	-	-	-
8/1/2003	W/H TAX DIV VZ	(30,776)	-	* (1)	-	-	279,885,142	-	-	-	-
8/15/2003	W/H TAX DIV CL	(3,837)	-	* (1)	-	-	279,885,142	-	-	-	-
8/15/2003	W/H TAX DIV PG	(16,974)	-	* (1)	-	-	279,885,142	-	-	-	-
8/18/2003	W/H TAX DIV TXN	(1,059)	-	* (1)	-	-	279,885,142	-	-	-	-
8/22/2003	W/H TAX DIV C	(52,533)	-	* (1)	-	-	279,885,142	-	-	-	-
8/27/2003	W/H TAX DIV MER	(4,263)	-	* (1)	-	-	279,885,142	-	-	-	-
8/28/2003	W/H TAX DIV GS	(3,331)	-	* (1)	-	-	279,885,142	-	-	-	-
9/2/2003	W/H TAX DIV INTC	(3,799)	-	* (1)	-	-	279,885,142	-	-	-	-
9/2/2003	W/H TAX DIV WFC	(21,583)	-	* (1)	-	-	279,885,142	-	-	-	-
9/4/2003	W/H TAX DIV PFE	(21,179)	-	* (1)	-	-	279,885,142	-	-	-	-
9/5/2003	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(21)	-	* (1)	-	-	279,885,142	-	-	-	-
9/5/2003	W/H TAX DIV BA	(2,528)	-	* (1)	-	-	279,885,142	-	-	-	-
9/5/2003	W/H TAX DIV G	(4,763)	-	* (1)	-	-	279,885,142	-	-	-	-
9/9/2003	W/H TAX DIV BUD	(5,276)	-	* (1)	-	-	279,885,142	-	-	-	-

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	<u>Transaction Description</u>	<u>Transaction Amount Reported in Customer Statement</u>	<u>Cash Deposits</u>	<u>Cash Withdrawals</u>	<u>Transfers of Principal In</u>	<u>Transfers of Principal Out</u>	<u>Balance of Principal</u>	<u>90-Day Preferential Transfers</u>	<u>2-Year Cash Withdrawals</u>	<u>6-Year Cash Withdrawals</u>	<u>Full History Cash Withdrawals</u>
9/10/2003	W/H TAX DIV IBM	(8,100)	-	* <sup>(1)</sup>	-	-	279,885,142	-	-	-	-
9/10/2003	W/H TAX DIV XOM	(48,467)	-	* <sup>(1)</sup>	-	-	279,885,142	-	-	-	-
9/10/2003	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	* <sup>(1)</sup>	-	-	279,885,142	-	-	-	-
9/12/2003	W/H TAX DIV DD	(6,360)	-	* <sup>(1)</sup>	-	-	279,885,142	-	-	-	-
9/19/2003	W/H TAX DIV AIG	(1,607)	-	* <sup>(1)</sup>	-	-	279,885,142	-	-	-	-
9/23/2003	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(14)	-	* <sup>(1)</sup>	-	-	279,885,142	-	-	-	-
9/26/2003	W/H TAX DIV BAC	(11,595)	-	* <sup>(1)</sup>	-	-	279,885,142	-	-	-	-
9/30/2003	W/H TAX DIV PEP	(6,276)	-	* <sup>(1)</sup>	-	-	279,885,142	-	-	-	-
10/1/2003	W/H TAX DIV ONE	(6,710)	-	* <sup>(1)</sup>	-	-	279,885,142	-	-	-	-
10/1/2003	W/H TAX DIV MRK	(7,887)	-	* <sup>(1)</sup>	-	-	279,885,142	-	-	-	-
10/1/2003	W/H TAX DIV KO	(12,451)	-	* <sup>(1)</sup>	-	-	279,885,142	-	-	-	-
10/1/2003	W/H TAX DIV VIA.B	(1,883)	-	* <sup>(1)</sup>	-	-	279,885,142	-	-	-	-
10/8/2003	CHECK WIRE	10,000,000	10,000,000	-	-	-	289,885,142	-	-	-	-
10/8/2003	W/H TAX DIV HPQ	(5,616)	-	* <sup>(1)</sup>	-	-	289,885,142	-	-	-	-
10/9/2003	W/H TAX DIV MO	(32,290)	-	* <sup>(1)</sup>	-	-	289,885,142	-	-	-	-
10/14/2003	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(8)	-	* <sup>(1)</sup>	-	-	289,885,142	-	-	-	-
10/31/2003	CHECK WIRE	10,000,000	10,000,000	-	-	-	299,885,142	-	-	-	-
10/31/2003	W/H TAX DIV MWD	(4,970)	-	* <sup>(1)</sup>	-	-	299,885,142	-	-	-	-
11/3/2003	W/H TAX DIV SBC	(6,663)	-	* <sup>(1)</sup>	-	-	299,885,142	-	-	-	-
11/3/2003	W/H TAX DIV SBC	(18,824)	-	* <sup>(1)</sup>	-	-	299,885,142	-	-	-	-
11/3/2003	W/H TAX DIV VZ	(21,494)	-	* <sup>(1)</sup>	-	-	299,885,142	-	-	-	-
11/7/2003	W/H TAX DIV MSFT	(52,893)	-	* <sup>(1)</sup>	-	-	299,885,142	-	-	-	-
11/14/2003	W/H TAX DIV PG	(17,793)	-	* <sup>(1)</sup>	-	-	299,885,142	-	-	-	-
11/17/2003	W/H TAX DIV TXN	(1,141)	-	* <sup>(1)</sup>	-	-	299,885,142	-	-	-	-
11/24/2003	W/H TAX DIV GS	(3,414)	-	* <sup>(1)</sup>	-	-	299,885,142	-	-	-	-
11/25/2003	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(14)	-	* <sup>(1)</sup>	-	-	299,885,142	-	-	-	-
11/26/2003	W/H TAX DIV C	(55,122)	-	* <sup>(1)</sup>	-	-	299,885,142	-	-	-	-
11/26/2003	W/H TAX DIV MER	(4,659)	-	* <sup>(1)</sup>	-	-	299,885,142	-	-	-	-
12/1/2003	W/H TAX DIV MCD	(15,296)	-	* <sup>(1)</sup>	-	-	299,885,142	-	-	-	-
12/1/2003	W/H TAX DIV INTC	(4,062)	-	* <sup>(1)</sup>	-	-	299,885,142	-	-	-	-
12/1/2003	W/H TAX DIV WFC	(23,354)	-	* <sup>(1)</sup>	-	-	299,885,142	-	-	-	-
12/4/2003	W/H TAX DIV PFE	(35,506)	-	* <sup>(1)</sup>	-	-	299,885,142	-	-	-	-
12/5/2003	W/H TAX DIV G	(4,883)	-	* <sup>(1)</sup>	-	-	299,885,142	-	-	-	-
12/9/2003	CHECK WIRE	15,000,000	15,000,000	-	-	-	314,885,142	-	-	-	-
12/9/2003	W/H TAX DIV JNJ	(21,633)	-	* <sup>(1)</sup>	-	-	314,885,142	-	-	-	-
12/9/2003	W/H TAX DIV BUD	(5,408)	-	* <sup>(1)</sup>	-	-	314,885,142	-	-	-	-
12/10/2003	W/H TAX DIV UTX	(4,780)	-	* <sup>(1)</sup>	-	-	314,885,142	-	-	-	-
12/10/2003	W/H TAX DIV XOM	(50,749)	-	* <sup>(1)</sup>	-	-	314,885,142	-	-	-	-
12/10/2003	W/H TAX DIV IBM	(8,304)	-	* <sup>(1)</sup>	-	-	314,885,142	-	-	-	-
12/12/2003	W/H TAX DIV MMM	(4,310)	-	* <sup>(1)</sup>	-	-	314,885,142	-	-	-	-
12/15/2003	W/H TAX DIV DD	(10,516)	-	* <sup>(1)</sup>	-	-	314,885,142	-	-	-	-
12/16/2003	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(2)	-	* <sup>(1)</sup>	-	-	314,885,142	-	-	-	-
12/31/2003	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(0)	-	* <sup>(1)</sup>	-	-	314,885,142	-	-	-	-
1/2/2004	W/H TAX DIV PEP	(1,834)	-	* <sup>(1)</sup>	-	-	314,885,142	-	-	-	-
1/2/2004	W/H TAX DIV ONE	(1,810)	-	* <sup>(1)</sup>	-	-	314,885,142	-	-	-	-
1/5/2004	W/H TAX DIV WMT	(2,606)	-	* <sup>(1)</sup>	-	-	314,885,142	-	-	-	-
1/6/2004	W/H TAX DIV DIS	(2,914)	-	* <sup>(1)</sup>	-	-	314,885,142	-	-	-	-
1/7/2004	W/H TAX DIV HPQ	(1,641)	-	* <sup>(1)</sup>	-	-	314,885,142	-	-	-	-
1/8/2004	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	* <sup>(1)</sup>	-	-	314,885,142	-	-	-	-
1/9/2004	W/H TAX DIV MO	(9,436)	-	* <sup>(1)</sup>	-	-	314,885,142	-	-	-	-
1/15/2004	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(0)	-	* <sup>(1)</sup>	-	-	314,885,142	-	-	-	-
1/30/2004	W/H TAX DIV MWD	(3,085)	-	* <sup>(1)</sup>	-	-	314,885,142	-	-	-	-
2/2/2004	W/H TAX DIV SBC	(11,891)	-	* <sup>(1)</sup>	-	-	314,885,142	-	-	-	-
2/2/2004	W/H TAX DIV VZ	(12,274)	-	* <sup>(1)</sup>	-	-	314,885,142	-	-	-	-
2/17/2004	W/H TAX DIV PG	(18,608)	-	* <sup>(1)</sup>	-	-	314,885,142	-	-	-	-
2/26/2004	W/H TAX DIV GS	(3,408)	-	* <sup>(1)</sup>	-	-	314,885,142	-	-	-	-
2/27/2004	W/H TAX DIV C	(63,252)	-	* <sup>(1)</sup>	-	-	314,885,142	-	-	-	-

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	<u>Transaction Description</u>	<u>Transaction Amount</u> <u>Reported in</u> <u>Customer Statement</u>	<u>Cash</u> <u>Deposits</u>	<u>Cash</u> <u>Withdrawals</u>	<u>Transfers of</u> <u>Principal In</u>	<u>Transfers of</u> <u>Principal Out</u>	<u>Balance of</u> <u>Principal</u>	<u>90-Day</u> <u>Preferential</u> <u>Transfers</u>	<u>2-Year</u> <u>Cash</u> <u>Withdrawals</u>	<u>6-Year</u> <u>Cash</u> <u>Withdrawals</u>	<u>Full History</u> <u>Cash</u> <u>Withdrawals</u>
2/27/2004	W/H TAX DIV MER	(4,798)	-	* <sup>(1)</sup>	-	-	314,885,142	-	-	-	-
3/1/2004	W/H TAX DIV INTC	(7,927)	-	* <sup>(1)</sup>	-	-	314,885,142	-	-	-	-
3/1/2004	W/H TAX DIV WFC	(23,311)	-	* <sup>(1)</sup>	-	-	314,885,142	-	-	-	-
3/5/2004	W/H TAX DIV BA	(4,171)	-	* <sup>(1)</sup>	-	-	314,885,142	-	-	-	-
3/5/2004	W/H TAX DIV PFE	(39,541)	-	* <sup>(1)</sup>	-	-	314,885,142	-	-	-	-
3/5/2004	W/H TAX DIV G	(4,873)	-	* <sup>(1)</sup>	-	-	314,885,142	-	-	-	-
3/9/2004	W/H TAX DIV BUD	(5,398)	-	* <sup>(1)</sup>	-	-	314,885,142	-	-	-	-
3/9/2004	W/H TAX DIV JNJ	(21,797)	-	* <sup>(1)</sup>	-	-	314,885,142	-	-	-	-
3/10/2004	W/H TAX DIV UTX	(3,006)	-	* <sup>(1)</sup>	-	-	314,885,142	-	-	-	-
3/10/2004	W/H TAX DIV IBM	(8,288)	-	* <sup>(1)</sup>	-	-	314,885,142	-	-	-	-
3/10/2004	W/H TAX DIV XOM	(50,651)	-	* <sup>(1)</sup>	-	-	314,885,142	-	-	-	-
3/12/2004	W/H TAX DIV MMM	(5,565)	-	* <sup>(1)</sup>	-	-	314,885,142	-	-	-	-
3/15/2004	W/H TAX DIV DD	(10,497)	-	* <sup>(1)</sup>	-	-	314,885,142	-	-	-	-
4/6/2004	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(46)	-	* <sup>(1)</sup>	-	-	314,885,142	-	-	-	-
4/8/2004	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(0)	-	* <sup>(1)</sup>	-	-	314,885,142	-	-	-	-
4/19/2004	CHECK WIRE	(20,000,000)	-	(20,000,000)	-	-	294,885,142	-	-	(20,000,000)	(20,000,000)
4/19/2004	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(0)	-	* <sup>(1)</sup>	-	-	294,885,142	-	-	-	-
4/30/2004	W/H TAX DIV JPM	(5,051)	-	* <sup>(1)</sup>	-	-	294,885,142	-	-	-	-
4/30/2004	W/H TAX DIV MWD	(6,576)	-	* <sup>(1)</sup>	-	-	294,885,142	-	-	-	-
5/3/2004	W/H TAX DIV SBC	(24,911)	-	* <sup>(1)</sup>	-	-	294,885,142	-	-	-	-
5/3/2004	W/H TAX DIV VZ	(25,319)	-	* <sup>(1)</sup>	-	-	294,885,142	-	-	-	-
5/14/2004	W/H TAX DIV PG	(18,396)	-	* <sup>(1)</sup>	-	-	294,885,142	-	-	-	-
5/17/2004	W/H TAX DIV TXN	(1,073)	-	* <sup>(1)</sup>	-	-	294,885,142	-	-	-	-
5/26/2004	W/H TAX DIV MER	(4,625)	-	* <sup>(1)</sup>	-	-	294,885,142	-	-	-	-
5/27/2004	W/H TAX DIV GS	(3,285)	-	* <sup>(1)</sup>	-	-	294,885,142	-	-	-	-
5/28/2004	W/H TAX DIV C	(59,918)	-	* <sup>(1)</sup>	-	-	294,885,142	-	-	-	-
6/1/2004	W/H TAX DIV WFC	(22,469)	-	* <sup>(1)</sup>	-	-	294,885,142	-	-	-	-
6/1/2004	W/H TAX DIV INTC	(7,485)	-	* <sup>(1)</sup>	-	-	294,885,142	-	-	-	-
6/4/2004	W/H TAX DIV G	(4,698)	-	* <sup>(1)</sup>	-	-	294,885,142	-	-	-	-
6/4/2004	W/H TAX DIV PFE	(37,423)	-	* <sup>(1)</sup>	-	-	294,885,142	-	-	-	-
6/7/2004	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(19)	-	* <sup>(1)</sup>	-	-	294,885,142	-	-	-	-
6/7/2004	W/H TAX DIV WMT	(11,034)	-	* <sup>(1)</sup>	-	-	294,885,142	-	-	-	-
6/8/2004	W/H TAX DIV JNJ	(24,541)	-	* <sup>(1)</sup>	-	-	294,885,142	-	-	-	-
6/9/2004	W/H TAX DIV BUD	(5,203)	-	* <sup>(1)</sup>	-	-	294,885,142	-	-	-	-
6/10/2004	CHECK WIRE	10,000,000	10,000,000	-	-	-	304,885,142	-	-	-	-
6/10/2004	W/H TAX DIV IBM	(8,988)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-
6/10/2004	W/H TAX DIV UTX	(3,753)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-
6/10/2004	W/H TAX DIV XOM	(51,088)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-
6/11/2004	W/H TAX DIV BA	(3,217)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-
6/14/2004	W/H TAX DIV DD	(10,118)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-
6/14/2004	W/H TAX DIV MMM	(5,790)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-
6/18/2004	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-
6/24/2004	W/H TAX DIV HD	(5,813)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-
6/30/2004	W/H TAX DIV PEP	(11,955)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-
7/1/2004	W/H TAX DIV KO	(18,466)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-
7/7/2004	W/H TAX DIV HPQ	(7,441)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-
7/9/2004	W/H TAX DIV MO	(42,135)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-
7/26/2004	W/H TAX DIV GE	(6,830)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-
8/18/2004	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(91)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-
8/23/2004	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(0)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-
9/7/2004	W/H TAX DIV WMT	(13,559)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-
9/10/2004	W/H TAX DIV UTX	(4,563)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-
9/13/2004	W/H TAX DIV MMM	(7,040)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-
9/14/2004	W/H TAX DIV MSFT	(28,441)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-
9/16/2004	W/H TAX DIV HD	(6,325)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-
9/17/2004	W/H TAX DIV AIG	(6,473)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-
9/24/2004	W/H TAX DIV BAC	(61,609)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	<u>Transaction Description</u>	<u>Transaction Amount Reported in Customer Statement</u>	<u>Cash Deposits</u>	<u>Cash Withdrawals</u>	<u>Transfers of Principal In</u>	<u>Transfers of Principal Out</u>	<u>Balance of Principal</u>	<u>90-Day Preferential Transfers</u>	<u>2-Year Cash Withdrawals</u>	<u>6-Year Cash Withdrawals</u>	<u>Full History Cash Withdrawals</u>
9/30/2004	W/H TAX DIV PEP	(13,006)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-
10/1/2004	W/H TAX DIV MRK	(28,275)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-
10/1/2004	W/H TAX DIV VIA.B	(3,491)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-
10/1/2004	W/H TAX DIV KO	(20,090)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-
10/6/2004	W/H TAX DIV HPQ	(8,096)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-
10/12/2004	W/H TAX DIV MO	(49,972)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-
11/1/2004	CHECK WIRE	20,000,000	20,000,000	-	-	-	324,885,142	-	-	-	-
11/3/2004	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(69)	-	* <sup>(1)</sup>	-	-	324,885,142	-	-	-	-
11/4/2004	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(0)	-	* <sup>(1)</sup>	-	-	324,885,142	-	-	-	-
11/9/2004	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	* <sup>(1)</sup>	-	-	324,885,142	-	-	-	-
11/24/2004	W/H TAX DIV MER	(2,642)	-	* <sup>(1)</sup>	-	-	324,885,142	-	-	-	-
11/29/2004	CHECK WIRE	30,000,000	30,000,000	-	-	-	354,885,142	-	-	-	-
12/1/2004	W/H TAX DIV WFC	(13,691)	-	* <sup>(1)</sup>	-	-	354,885,142	-	-	-	-
12/1/2004	W/H TAX DIV INTC	(4,349)	-	* <sup>(1)</sup>	-	-	354,885,142	-	-	-	-
12/3/2004	W/H TAX DIV BA	(4,396)	-	* <sup>(1)</sup>	-	-	354,885,142	-	-	-	-
12/3/2004	W/H TAX DIV PFE	(35,066)	-	* <sup>(1)</sup>	-	-	354,885,142	-	-	-	-
12/7/2004	W/H TAX DIV JNJ	(8,844)	-	* <sup>(1)</sup>	-	-	354,885,142	-	-	-	-
12/10/2004	W/H TAX DIV IBM	(8,353)	-	* <sup>(1)</sup>	-	-	354,885,142	-	-	-	-
12/10/2004	W/H TAX DIV XOM	(48,138)	-	* <sup>(1)</sup>	-	-	354,885,142	-	-	-	-
12/13/2004	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(86)	-	* <sup>(1)</sup>	-	-	354,885,142	-	-	-	-
12/14/2004	W/H TAX DIV DD	(9,403)	-	* <sup>(1)</sup>	-	-	354,885,142	-	-	-	-
12/16/2004	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	* <sup>(1)</sup>	-	-	354,885,142	-	-	-	-
12/21/2004	CHECK WIRE	30,000,000	30,000,000	-	-	-	384,885,142	-	-	-	-
12/31/2004	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(7)	-	* <sup>(1)</sup>	-	-	384,885,142	-	-	-	-
1/3/2005	W/H TAX DIV WMT	(4,976)	-	* <sup>(1)</sup>	-	-	384,885,142	-	-	-	-
2/14/2005	W/H TAX DIV TXN	(1,591)	-	* <sup>(1)</sup>	-	-	384,885,142	-	-	-	-
2/24/2005	W/H TAX DIV GS	(663)	-	* <sup>(1)</sup>	-	-	384,885,142	-	-	-	-
2/25/2005	W/H TAX DIV C	(84,005)	-	* <sup>(1)</sup>	-	-	384,885,142	-	-	-	-
2/28/2005	W/H TAX DIV MER	(5,359)	-	* <sup>(1)</sup>	-	-	384,885,142	-	-	-	-
3/1/2005	W/H TAX DIV WFC	(30,547)	-	* <sup>(1)</sup>	-	-	384,885,142	-	-	-	-
3/1/2005	W/H TAX DIV INTC	(18,690)	-	* <sup>(1)</sup>	-	-	384,885,142	-	-	-	-
3/2/2005	CHECK WIRE	15,000,000	15,000,000	-	-	-	399,885,142	-	-	-	-
3/4/2005	W/H TAX DIV BA	(7,536)	-	* <sup>(1)</sup>	-	-	399,885,142	-	-	-	-
3/4/2005	W/H TAX DIV G	(5,987)	-	* <sup>(1)</sup>	-	-	399,885,142	-	-	-	-
3/7/2005	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(71)	-	* <sup>(1)</sup>	-	-	399,885,142	-	-	-	-
3/8/2005	W/H TAX DIV PFE	(52,822)	-	* <sup>(1)</sup>	-	-	399,885,142	-	-	-	-
3/8/2005	W/H TAX DIV JNJ	(31,262)	-	* <sup>(1)</sup>	-	-	399,885,142	-	-	-	-
3/9/2005	W/H TAX DIV BUD	(7,386)	-	* <sup>(1)</sup>	-	-	399,885,142	-	-	-	-
3/10/2005	W/H TAX DIV MSFT	(32,021)	-	* <sup>(1)</sup>	-	-	399,885,142	-	-	-	-
3/10/2005	W/H TAX DIV UTX	(8,843)	-	* <sup>(1)</sup>	-	-	399,885,142	-	-	-	-
3/10/2005	W/H TAX DIV XOM	(64,210)	-	* <sup>(1)</sup>	-	-	399,885,142	-	-	-	-
3/10/2005	W/H TAX DIV IBM	(10,852)	-	* <sup>(1)</sup>	-	-	399,885,142	-	-	-	-
3/14/2005	W/H TAX DIV MMM	(12,661)	-	* <sup>(1)</sup>	-	-	399,885,142	-	-	-	-
3/14/2005	W/H TAX DIV DD	(12,896)	-	* <sup>(1)</sup>	-	-	399,885,142	-	-	-	-
3/18/2005	W/H TAX DIV AIG	(12,142)	-	* <sup>(1)</sup>	-	-	399,885,142	-	-	-	-
3/24/2005	W/H TAX DIV HD	(8,039)	-	* <sup>(1)</sup>	-	-	399,885,142	-	-	-	-
3/28/2005	W/H TAX DIV BAC	(67,071)	-	* <sup>(1)</sup>	-	-	399,885,142	-	-	-	-
3/31/2005	W/H TAX DIV PEP	(14,637)	-	* <sup>(1)</sup>	-	-	399,885,142	-	-	-	-
4/1/2005	W/H TAX DIV KO	(19,751)	-	* <sup>(1)</sup>	-	-	399,885,142	-	-	-	-
4/1/2005	W/H TAX DIV VIA.B	(4,455)	-	* <sup>(1)</sup>	-	-	399,885,142	-	-	-	-
4/1/2005	W/H TAX DIV MRK	(30,547)	-	* <sup>(1)</sup>	-	-	399,885,142	-	-	-	-
4/7/2005	W/H TAX DIV HPQ	(4,414)	-	* <sup>(1)</sup>	-	-	399,885,142	-	-	-	-
4/11/2005	W/H TAX DIV MO	(43,866)	-	* <sup>(1)</sup>	-	-	399,885,142	-	-	-	-
4/13/2005	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(35)	-	* <sup>(1)</sup>	-	-	399,885,142	-	-	-	-
4/25/2005	W/H TAX DIV GE	(85,662)	-	* <sup>(1)</sup>	-	-	399,885,142	-	-	-	-
5/23/2005	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(21)	-	* <sup>(1)</sup>	-	-	399,885,142	-	-	-	-
5/31/2005	CHECK WIRE	(10,000,000)	-	(10,000,000)	-	-	389,885,142	-	-	(10,000,000)	(10,000,000)
5/31/2005	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(16)	-	* <sup>(1)</sup>	-	-	389,885,142	-	-	-	-



Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	<u>Transaction Description</u>	<u>Transaction Amount Reported in Customer Statement</u>	<u>Cash Deposits</u>	<u>Cash Withdrawals</u>	<u>Transfers of Principal In</u>	<u>Transfers of Principal Out</u>	<u>Balance of Principal</u>	<u>90-Day Preferential Transfers</u>	<u>2-Year Cash Withdrawals</u>	<u>6-Year Cash Withdrawals</u>	<u>Full History Cash Withdrawals</u>
6/6/2005	CHECK WIRE	(15,000,000)	-	(15,000,000)	-	-	374,885,142	-	-	(15,000,000)	(15,000,000)
6/6/2005	W/H TAX DIV WMT	(5,663)	-	* <sup>(1)</sup>	-	-	374,885,142	-	-	-	-
6/9/2005	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(2)	-	* <sup>(1)</sup>	-	-	374,885,142	-	-	-	-
6/10/2005	W/H TAX DIV UTX	(2,694)	-	* <sup>(1)</sup>	-	-	374,885,142	-	-	-	-
6/13/2005	W/H TAX DIV MMM	(3,857)	-	* <sup>(1)</sup>	-	-	374,885,142	-	-	-	-
6/15/2005	CHECK WIRE	(10,000,000)	-	(10,000,000)	-	-	364,885,142	-	-	(10,000,000)	(10,000,000)
6/17/2005	W/H TAX DIV AIG	(9,400)	-	* <sup>(1)</sup>	-	-	364,885,142	-	-	-	-
6/20/2005	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(3)	-	* <sup>(1)</sup>	-	-	364,885,142	-	-	-	-
6/23/2005	W/H TAX DIV HD	(6,297)	-	* <sup>(1)</sup>	-	-	364,885,142	-	-	-	-
6/24/2005	W/H TAX DIV BAC	(52,512)	-	* <sup>(1)</sup>	-	-	364,885,142	-	-	-	-
6/30/2005	W/H TAX DIV PEP	(12,810)	-	* <sup>(1)</sup>	-	-	364,885,142	-	-	-	-
7/1/2005	W/H TAX DIV ALL	(6,370)	-	* <sup>(1)</sup>	-	-	364,885,142	-	-	-	-
7/1/2005	W/H TAX DIV VIA.B	(3,449)	-	* <sup>(1)</sup>	-	-	364,885,142	-	-	-	-
7/1/2005	W/H TAX DIV MRK	(23,650)	-	* <sup>(1)</sup>	-	-	364,885,142	-	-	-	-
7/1/2005	W/H TAX DIV KO	(18,152)	-	* <sup>(1)</sup>	-	-	364,885,142	-	-	-	-
7/6/2005	CHECK WIRE	(10,000,000)	-	(10,000,000)	-	-	354,885,142	-	-	(10,000,000)	(10,000,000)
7/6/2005	W/H TAX DIV HPQ	(6,779)	-	* <sup>(1)</sup>	-	-	354,885,142	-	-	-	-
7/8/2005	W/H TAX DIV SLB	(3,812)	-	* <sup>(1)</sup>	-	-	354,885,142	-	-	-	-
7/11/2005	W/H TAX DIV MO	(43,540)	-	* <sup>(1)</sup>	-	-	354,885,142	-	-	-	-
7/13/2005	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(12)	-	* <sup>(1)</sup>	-	-	354,885,142	-	-	-	-
7/25/2005	W/H TAX DIV GE	(67,135)	-	* <sup>(1)</sup>	-	-	354,885,142	-	-	-	-
8/8/2005	CHECK WIRE	15,000,000	15,000,000	-	-	-	369,885,142	-	-	-	-
9/8/2005	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(116)	-	* <sup>(1)</sup>	-	-	369,885,142	-	-	-	-
9/12/2005	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(2)	-	* <sup>(1)</sup>	-	-	369,885,142	-	-	-	-
9/30/2005	W/H TAX DIV PEP	(8,576)	-	* <sup>(1)</sup>	-	-	369,885,142	-	-	-	-
9/30/2005	W/H TAX DIV S	(1,432)	-	* <sup>(1)</sup>	-	-	369,885,142	-	-	-	-
10/3/2005	W/H TAX DIV KO	(24,088)	-	* <sup>(1)</sup>	-	-	369,885,142	-	-	-	-
10/4/2005	CHECK WIRE	(60,000,000)	-	(60,000,000)	-	-	309,885,142	-	-	(60,000,000)	(60,000,000)
10/5/2005	W/H TAX DIV HPQ	(8,731)	-	* <sup>(1)</sup>	-	-	309,885,142	-	-	-	-
10/7/2005	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(92)	-	* <sup>(1)</sup>	-	-	309,885,142	-	-	-	-
10/11/2005	W/H TAX DIV MO	(62,111)	-	* <sup>(1)</sup>	-	-	309,885,142	-	-	-	-
10/12/2005	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(6)	-	* <sup>(1)</sup>	-	-	309,885,142	-	-	-	-
10/13/2005	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	* <sup>(1)</sup>	-	-	309,885,142	-	-	-	-
10/14/2005	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(0)	-	* <sup>(1)</sup>	-	-	309,885,142	-	-	-	-
10/19/2005	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	* <sup>(1)</sup>	-	-	309,885,142	-	-	-	-
10/25/2005	W/H TAX DIV GE	(64,595)	-	* <sup>(1)</sup>	-	-	309,885,142	-	-	-	-
10/26/2005	CHECK WIRE	(10,000,000)	-	(10,000,000)	-	-	299,885,142	-	-	(10,000,000)	(10,000,000)
10/26/2005	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(14)	-	* <sup>(1)</sup>	-	-	299,885,142	-	-	-	-
10/31/2005	W/H TAX DIV MWD	(6,919)	-	* <sup>(1)</sup>	-	-	299,885,142	-	-	-	-
11/15/2005	W/H TAX DIV PG	(34,939)	-	* <sup>(1)</sup>	-	-	299,885,142	-	-	-	-
11/15/2005	W/H TAX DIV ABT	(10,570)	-	* <sup>(1)</sup>	-	-	299,885,142	-	-	-	-
11/16/2005	CHECK WIRE	(40,000,000)	-	(40,000,000)	-	-	259,885,142	-	-	(40,000,000)	(40,000,000)
11/17/2005	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(10)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
11/21/2005	W/H TAX DIV GS	(3,999)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
11/21/2005	W/H TAX DIV TXN	(1,794)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
11/23/2005	W/H TAX DIV C	(81,651)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
11/23/2005	W/H TAX DIV MER	(6,399)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
11/30/2005	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(8)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
12/1/2005	W/H TAX DIV INTC	(17,497)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
12/1/2005	W/H TAX DIV WFC	(31,611)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
12/2/2005	W/H TAX DIV BA	(7,199)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
12/6/2005	W/H TAX DIV PFE	(50,862)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
12/8/2005	W/H TAX DIV MSFT	(23,881)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
12/9/2005	W/H TAX DIV XOM	(66,109)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
12/12/2005	W/H TAX DIV MMM	(10,885)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
12/12/2005	W/H TAX DIV IBM	(11,518)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
12/12/2005	W/H TAX DIV CVX	(33,291)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
12/12/2005	W/H TAX DIV UTX	(7,391)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	<u>Transaction Description</u>	<u>Transaction Amount</u> <u>Reported in</u> <u>Customer Statement</u>	<u>Cash</u> <u>Deposits</u>	<u>Cash</u> <u>Withdrawals</u>	<u>Transfers of</u> <u>Principal In</u>	<u>Transfers of</u> <u>Principal Out</u>	<u>Balance of</u> <u>Principal</u>	<u>90-Day</u> <u>Preferential</u> <u>Transfers</u>	<u>2-Year</u> <u>Cash</u> <u>Withdrawals</u>	<u>6-Year</u> <u>Cash</u> <u>Withdrawals</u>	<u>Full History</u> <u>Cash</u> <u>Withdrawals</u>
12/13/2005	W/H TAX DIV JNJ	(32,204)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
12/15/2005	W/H TAX DIV KO	(18,633)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
12/15/2005	W/H TAX DIV HD	(6,911)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
12/15/2005	W/H TAX DIV TWX	(7,583)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
12/16/2005	W/H TAX DIV AIG	(12,526)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
12/16/2005	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
12/22/2005	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(17)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
12/23/2005	W/H TAX DIV BAC	(64,790)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
12/30/2005	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(4)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
12/30/2005	W/H TAX DIV S	(2,376)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
1/3/2006	W/H TAX DIV VIA.B	(3,628)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
1/3/2006	W/H TAX DIV WMT	(7,982)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
1/3/2006	W/H TAX DIV PEP	(14,225)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
1/3/2006	W/H TAX DIV MRK	(27,356)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
1/4/2006	W/H TAX DIV HPQ	(7,454)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
1/6/2006	W/H TAX DIV DIS	(17,882)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
1/13/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(18)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
1/31/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(29)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
1/31/2006	W/H TAX DIV MS	(9,348)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
2/1/2006	W/H TAX DIV VZ	(8,456)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
2/1/2006	W/H TAX DIV T	(9,720)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
2/13/2006	W/H TAX DIV TXN	(1,526)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
2/15/2006	W/H TAX DIV ABT	(13,488)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
2/15/2006	W/H TAX DIV PG	(29,890)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
2/23/2006	W/H TAX DIV GS	(3,606)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
2/24/2006	W/H TAX DIV C	(78,312)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
2/28/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(45)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
2/28/2006	W/H TAX DIV MER	(7,213)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
3/1/2006	CHECK WIRE	(25,000,000)	-	(25,000,000)	-	-	234,885,142	-	-	(25,000,000)	(25,000,000)
3/1/2006	W/H TAX DIV INTC	(18,981)	-	* <sup>(1)</sup>	-	-	234,885,142	-	-	-	-
3/1/2006	W/H TAX DIV WFC	(27,005)	-	* <sup>(1)</sup>	-	-	234,885,142	-	-	-	-
3/1/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	* <sup>(1)</sup>	-	-	234,885,142	-	-	-	-
3/3/2006	W/H TAX DIV BA	(7,790)	-	* <sup>(1)</sup>	-	-	234,885,142	-	-	-	-
3/7/2006	W/H TAX DIV PFE	(55,941)	-	* <sup>(1)</sup>	-	-	234,885,142	-	-	-	-
3/7/2006	W/H TAX DIV UPS	(13,156)	-	* <sup>(1)</sup>	-	-	234,885,142	-	-	-	-
3/9/2006	W/H TAX DIV MSFT	(26,163)	-	* <sup>(1)</sup>	-	-	234,885,142	-	-	-	-
3/10/2006	W/H TAX DIV TGT	(2,885)	-	* <sup>(1)</sup>	-	-	234,885,142	-	-	-	-
3/10/2006	W/H TAX DIV XOM	(62,626)	-	* <sup>(1)</sup>	-	-	234,885,142	-	-	-	-
3/10/2006	W/H TAX DIV IBM	(9,923)	-	* <sup>(1)</sup>	-	-	234,885,142	-	-	-	-
3/10/2006	W/H TAX DIV UTX	(6,982)	-	* <sup>(1)</sup>	-	-	234,885,142	-	-	-	-
3/10/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(3)	-	* <sup>(1)</sup>	-	-	234,885,142	-	-	-	-
3/10/2006	W/H TAX DIV CVX	(31,985)	-	* <sup>(1)</sup>	-	-	234,885,142	-	-	-	-
3/13/2006	W/H TAX DIV MMM	(10,617)	-	* <sup>(1)</sup>	-	-	234,885,142	-	-	-	-
3/14/2006	W/H TAX DIV JNJ	(31,419)	-	* <sup>(1)</sup>	-	-	234,885,142	-	-	-	-
3/15/2006	W/H TAX DIV TWX	(7,385)	-	* <sup>(1)</sup>	-	-	234,885,142	-	-	-	-
3/16/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	* <sup>(1)</sup>	-	-	234,885,142	-	-	-	-
3/17/2006	W/H TAX DIV AIG	(11,836)	-	* <sup>(1)</sup>	-	-	234,885,142	-	-	-	-
3/23/2006	W/H TAX DIV HD	(9,655)	-	* <sup>(1)</sup>	-	-	234,885,142	-	-	-	-
3/24/2006	W/H TAX DIV BAC	(71,363)	-	* <sup>(1)</sup>	-	-	234,885,142	-	-	-	-
3/30/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(24)	-	* <sup>(1)</sup>	-	-	234,885,142	-	-	-	-
3/31/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	* <sup>(1)</sup>	-	-	234,885,142	-	-	-	-
3/31/2006	W/H TAX DIV PEP	(13,134)	-	* <sup>(1)</sup>	-	-	234,885,142	-	-	-	-
3/31/2006	W/H TAX DIV S	(2,290)	-	* <sup>(1)</sup>	-	-	234,885,142	-	-	-	-
4/3/2006	W/H TAX DIV MRK	(25,593)	-	* <sup>(1)</sup>	-	-	234,885,142	-	-	-	-
4/3/2006	W/H TAX DIV KO	(19,692)	-	* <sup>(1)</sup>	-	-	234,885,142	-	-	-	-
4/3/2006	W/H TAX DIV WMT	(13,067)	-	* <sup>(1)</sup>	-	-	234,885,142	-	-	-	-
4/5/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	* <sup>(1)</sup>	-	-	234,885,142	-	-	-	-

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	<u>Transaction Description</u>	<u>Transaction Amount</u> <u>Reported in</u> <u>Customer Statement</u>	<u>Cash</u> <u>Deposits</u>	<u>Cash</u> <u>Withdrawals</u>	<u>Transfers of</u> <u>Principal In</u>	<u>Transfers of</u> <u>Principal Out</u>	<u>Balance of</u> <u>Principal</u>	<u>90-Day</u> <u>Preferential</u> <u>Transfers</u>	<u>2-Year</u> <u>Cash</u> <u>Withdrawals</u>	<u>6-Year</u> <u>Cash</u> <u>Withdrawals</u>	<u>Full History</u> <u>Cash</u> <u>Withdrawals</u>
4/5/2006	W/H TAX DIV HPQ	(7,048)	-	* <sup>(1)</sup>	-	-	234,885,142	-	-	-	-
4/7/2006	W/H TAX DIV SLB	(4,469)	-	(4,469)	-	-	234,880,672	-	-	-	-
4/7/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(2)	-	* <sup>(1)</sup>	-	-	234,880,672	-	-	-	-
4/10/2006	W/H TAX DIV MO	(51,635)	-	* <sup>(1)</sup>	-	-	234,880,672	-	-	-	-
4/21/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(7)	-	* <sup>(1)</sup>	-	-	234,880,672	-	-	-	-
4/25/2006	W/H TAX DIV GE	(83,547)	-	* <sup>(1)</sup>	-	-	234,880,672	-	-	-	-
4/28/2006	CXL W/H TAX DIV SLB	4,469	-	4,469	-	-	234,885,142	-	-	-	-
4/28/2006	W/H TAX DIV MS	(8,974)	-	* <sup>(1)</sup>	-	-	234,885,142	-	-	-	-
4/28/2006	W/H TAX DIV MDT	(3,537)	-	* <sup>(1)</sup>	-	-	234,885,142	-	-	-	-
4/28/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(11)	-	* <sup>(1)</sup>	-	-	234,885,142	-	-	-	-
5/1/2006	W/H TAX DIV VZ	(36,634)	-	* <sup>(1)</sup>	-	-	234,885,142	-	-	-	-
5/1/2006	W/H TAX DIV T	(39,598)	-	* <sup>(1)</sup>	-	-	234,885,142	-	-	-	-
5/1/2006	W/H TAX DIV JPM	(26,852)	-	* <sup>(1)</sup>	-	-	234,885,142	-	-	-	-
5/2/2006	CHECK WIRE	10,000,000	10,000,000	-	-	-	244,885,142	-	-	-	-
5/5/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(5)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
5/10/2006	W/H TAX DIV AXP	(4,653)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
5/10/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(4)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
5/15/2006	W/H TAX DIV ABT	(13,890)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
5/15/2006	W/H TAX DIV PG	(31,767)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
5/22/2006	W/H TAX DIV CAT	(5,303)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
5/22/2006	W/H TAX DIV TXN	(1,496)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
5/24/2006	W/H TAX DIV MER	(7,145)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
5/25/2006	W/H TAX DIV GS	(4,847)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
5/26/2006	W/H TAX DIV C	(75,998)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
5/31/2006	W/H TAX DIV UPS	(13,032)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
5/31/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(35)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
6/1/2006	W/H TAX DIV INTC	(18,576)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
6/1/2006	W/H TAX DIV WFC	(28,235)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
6/2/2006	W/H TAX DIV BA	(7,716)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
6/5/2006	W/H TAX DIV WMT	(13,403)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
6/6/2006	W/H TAX DIV BMY	(17,061)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
6/6/2006	W/H TAX DIV PFE	(56,242)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
6/8/2006	W/H TAX DIV MSFT	(25,463)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
6/9/2006	W/H TAX DIV XOM	(62,424)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
6/12/2006	W/H TAX DIV UTX	(4,165)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
6/12/2006	W/H TAX DIV MMM	(10,517)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
6/12/2006	W/H TAX DIV IBM	(14,926)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
6/13/2006	W/H TAX DIV JNJ	(35,365)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
6/15/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(27)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
6/15/2006	W/H TAX DIV TWX	(7,149)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
6/22/2006	W/H TAX DIV HD	(10,288)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
6/23/2006	W/H TAX DIV BAC	(74,303)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
6/30/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(91)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
6/30/2006	W/H TAX DIV S	(2,358)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
6/30/2006	W/H TAX DIV PEP	(15,459)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
7/3/2006	W/H TAX DIV CVX	(37,151)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
7/3/2006	W/H TAX DIV AIG	(12,431)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
7/3/2006	W/H TAX DIV KO	(14,060)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
7/3/2006	W/H TAX DIV MRK	(26,063)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
7/5/2006	W/H TAX DIV HPQ	(7,256)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
7/7/2006	W/H TAX DIV SLB	(4,990)	-	(4,990)	-	-	244,880,152	-	-	-	-
7/10/2006	W/H TAX DIV MO	(36,283)	-	* <sup>(1)</sup>	-	-	244,880,152	-	-	-	-
7/14/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(25)	-	* <sup>(1)</sup>	-	-	244,880,152	-	-	-	-
7/21/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(6)	-	* <sup>(1)</sup>	-	-	244,880,152	-	-	-	-
7/31/2006	W/H TAX DIV MS	(3,850)	-	* <sup>(1)</sup>	-	-	244,880,152	-	-	-	-
7/31/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(10)	-	* <sup>(1)</sup>	-	-	244,880,152	-	-	-	-
8/7/2006	CXL W/H TAX DIV SLB	4,990	-	4,990	-	-	244,885,142	-	-	-	-
8/15/2006	W/H TAX DIV ABT	(5,959)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	Transaction Description	Transaction Amount Reported in Customer Statement	Cash Deposits	Cash Withdrawals	Transfers of Principal In	Transfers of Principal Out	Balance of Principal	90-Day Preferential Transfers	2-Year Cash Withdrawals	6-Year Cash Withdrawals	Full History Cash Withdrawals
8/15/2006	W/H TAX DIV PG	(24,118)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
8/17/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(32)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
8/21/2006	W/H TAX DIV CAT	(2,495)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
8/21/2006	W/H TAX DIV TXN	(1,100)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
8/23/2006	W/H TAX DIV MER	(5,257)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
8/24/2006	W/H TAX DIV GS	(3,680)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
8/25/2006	W/H TAX DIV C	(57,250)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
9/1/2006	W/H TAX DIV INTC	(13,759)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
9/1/2006	W/H TAX DIV WFC	(22,373)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
9/1/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(21)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
9/1/2006	W/H TAX DIV BA	(5,677)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
9/5/2006	W/H TAX DIV WMT	(9,862)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
9/5/2006	W/H TAX DIV PFE	(41,447)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
9/6/2006	W/H TAX DIV UPS	(9,588)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
9/11/2006	W/H TAX DIV XOM	(45,375)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
9/11/2006	W/H TAX DIV IBM	(10,724)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
9/11/2006	W/H TAX DIV UTX	(6,129)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
9/11/2006	W/H TAX DIV CVX	(27,335)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
9/12/2006	W/H TAX DIV JNJ	(26,021)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
9/12/2006	W/H TAX DIV MMM	(7,738)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
9/14/2006	W/H TAX DIV MSFT	(18,653)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
9/15/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(19)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
9/15/2006	W/H TAX DIV TWX	(5,616)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
9/15/2006	W/H TAX DIV AIG	(10,061)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
9/21/2006	W/H TAX DIV HD	(7,254)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
9/22/2006	W/H TAX DIV BAC	(60,053)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
9/27/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(16)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
9/29/2006	W/H TAX DIV PEP	(11,629)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
9/29/2006	W/H TAX DIV S	(1,764)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
10/2/2006	W/H TAX DIV KO	(14,992)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
10/2/2006	W/H TAX DIV MRK	(19,177)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
10/4/2006	W/H TAX DIV HPQ	(5,215)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
10/10/2006	W/H TAX DIV MO	(42,378)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
10/17/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(8)	-	* <sup>(1)</sup>	-	-	244,885,142	-	-	-	-
10/25/2006	CHECK WIRE	(5,000,000)	-	(5,000,000)	-	-	239,885,142	-	-	(5,000,000)	(5,000,000)
10/25/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(5)	-	* <sup>(1)</sup>	-	-	239,885,142	-	-	-	-
10/25/2006	W/H TAX DIV GE	(61,275)	-	* <sup>(1)</sup>	-	-	239,885,142	-	-	-	-
10/26/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	* <sup>(1)</sup>	-	-	239,885,142	-	-	-	-
10/27/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(2)	-	* <sup>(1)</sup>	-	-	239,885,142	-	-	-	-
10/30/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(4)	-	* <sup>(1)</sup>	-	-	239,885,142	-	-	-	-
10/31/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	* <sup>(1)</sup>	-	-	239,885,142	-	-	-	-
11/3/2006	CHECK WIRE	10,000,000	10,000,000	-	-	-	249,885,142	-	-	-	-
11/20/2006	W/H TAX DIV TXN	(1,886)	-	* <sup>(1)</sup>	-	-	249,885,142	-	-	-	-
11/20/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(11)	-	* <sup>(1)</sup>	-	-	249,885,142	-	-	-	-
11/22/2006	W/H TAX DIV C	(72,028)	-	* <sup>(1)</sup>	-	-	249,885,142	-	-	-	-
11/22/2006	W/H TAX DIV MER	(6,934)	-	* <sup>(1)</sup>	-	-	249,885,142	-	-	-	-
11/27/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(9)	-	* <sup>(1)</sup>	-	-	249,885,142	-	-	-	-
11/30/2006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	* <sup>(1)</sup>	-	-	249,885,142	-	-	-	-
12/4/2006	CHECK WIRE	10,000,000	10,000,000	-	-	-	259,885,142	-	-	-	-
1/2/2007	W/H TAX DIV PEP	(15,416)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
1/2/2007	W/H TAX DIV WMT	(12,742)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
1/2/2007	W/H TAX DIV MRK	(25,279)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
1/3/2007	W/H TAX DIV UTX	(8,085)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
1/3/2007	W/H TAX DIV WFC	(28,199)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
1/3/2007	W/H TAX DIV BAC	(78,290)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
1/3/2007	W/H TAX DIV MMM	(10,206)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-
1/3/2007	W/H TAX DIV TWX	(6,909)	-	* <sup>(1)</sup>	-	-	259,885,142	-	-	-	-

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	Transaction Description	Transaction Amount Reported in Customer Statement	Cash Deposits	Cash Withdrawals	Transfers of Principal In	Transfers of Principal Out	Balance of Principal	90-Day Preferential Transfers	2-Year Cash Withdrawals	6-Year Cash Withdrawals	Full History Cash Withdrawals
1/3/2007	W/H TAX DIV WB	(33,527)	-	* [1]	-	-	259,885,142	-	-	-	-
1/3/2007	W/H TAX DIV HPQ	(6,773)	-	* [1]	-	-	259,885,142	-	-	-	-
1/3/2007	W/H TAX DIV PFE	(52,828)	-	* [1]	-	-	259,885,142	-	-	-	-
1/3/2007	W/H TAX DIV TGT	(2,995)	-	* [1]	-	-	259,885,142	-	-	-	-
1/3/2007	W/H TAX DIV HD	(14,131)	-	* [1]	-	-	259,885,142	-	-	-	-
1/3/2007	W/H TAX DIV JNJ	(33,282)	-	* [1]	-	-	259,885,142	-	-	-	-
1/3/2007	W/H TAX DIV MCD	(36,056)	-	* [1]	-	-	259,885,142	-	-	-	-
1/3/2007	W/H TAX DIV CVX	(34,613)	-	* [1]	-	-	259,885,142	-	-	-	-
1/3/2007	W/H TAX DIV XOM	(57,078)	-	* [1]	-	-	259,885,142	-	-	-	-
1/3/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	* [1]	-	-	259,885,142	-	-	-	-
1/3/2007	W/H TAX DIV S	(2,284)	-	* [1]	-	-	259,885,142	-	-	-	-
1/3/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(27)	-	* [1]	-	-	259,885,142	-	-	-	-
1/3/2007	W/H TAX DIV EXC	(7,766)	-	* [1]	-	-	259,885,142	-	-	-	-
1/3/2007	W/H TAX DIV IBM	(13,572)	-	* [1]	-	-	259,885,142	-	-	-	-
1/3/2007	W/H TAX DIV BA	(7,488)	-	* [1]	-	-	259,885,142	-	-	-	-
1/3/2007	W/H TAX DIV KO	(19,470)	-	* [1]	-	-	259,885,142	-	-	-	-
1/3/2007	W/H TAX DIV INTC	(17,282)	-	* [1]	-	-	259,885,142	-	-	-	-
1/3/2007	W/H TAX DIV MSFT	(25,880)	-	* [1]	-	-	259,885,142	-	-	-	-
1/3/2007	W/H TAX DIV AIG	(13,189)	-	* [1]	-	-	259,885,142	-	-	-	-
1/4/2007	W/H TAX DIV UPS	(12,647)	-	* [1]	-	-	259,885,142	-	-	-	-
1/10/2007	W/H TAX DIV MO	(15,172)	-	* [1]	-	-	259,885,142	-	-	-	-
1/12/2007	W/H TAX DIV DIS	(20,050)	-	* [1]	-	-	259,885,142	-	-	-	-
1/25/2007	W/H TAX DIV GE	(51,602)	-	* [1]	-	-	259,885,142	-	-	-	-
1/29/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(42)	-	* [1]	-	-	259,885,142	-	-	-	-
1/31/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(0)	-	* [1]	-	-	259,885,142	-	-	-	-
2/2/2007	CHECK WIRE	10,000,000	10,000,000	-	-	-	269,885,142	-	-	-	-
2/6/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(7)	-	* [1]	-	-	269,885,142	-	-	-	-
2/13/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(13)	-	* [1]	-	-	269,885,142	-	-	-	-
2/16/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(5)	-	* [1]	-	-	269,885,142	-	-	-	-
2/20/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(4)	-	* [1]	-	-	269,885,142	-	-	-	-
2/22/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	* [1]	-	-	269,885,142	-	-	-	-
2/23/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(2)	-	* [1]	-	-	269,885,142	-	-	-	-
2/27/2007	W/H TAX DIV CMCSA	(4)	-	* [1]	-	-	269,885,142	-	-	-	-
2/28/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(5)	-	* [1]	-	-	269,885,142	-	-	-	-
3/1/2007	W/H TAX DIV COP	(11,544)	-	* [1]	-	-	269,885,142	-	-	-	-
3/6/2007	W/H TAX DIV UPS	(7,652)	-	* [1]	-	-	269,885,142	-	-	-	-
3/9/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(9)	-	* [1]	-	-	269,885,142	-	-	-	-
3/12/2007	W/H TAX DIV TGT	(1,789)	-	* [1]	-	-	269,885,142	-	-	-	-
3/12/2007	W/H TAX DIV CVX	(10,796)	-	* [1]	-	-	269,885,142	-	-	-	-
3/12/2007	W/H TAX DIV UTX	(2,631)	-	* [1]	-	-	269,885,142	-	-	-	-
3/12/2007	W/H TAX DIV MMM	(9,474)	-	* [1]	-	-	269,885,142	-	-	-	-
3/13/2007	W/H TAX DIV JNJ	(28,681)	-	* [1]	-	-	269,885,142	-	-	-	-
3/15/2007	W/H TAX DIV WB	(27,633)	-	* [1]	-	-	269,885,142	-	-	-	-
3/15/2007	W/H TAX DIV TWX	(5,699)	-	* [1]	-	-	269,885,142	-	-	-	-
3/16/2007	W/H TAX DIV AIG	(10,991)	-	* [1]	-	-	269,885,142	-	-	-	-
3/20/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(29)	-	* [1]	-	-	269,885,142	-	-	-	-
3/22/2007	W/H TAX DIV HD	(12,213)	-	* [1]	-	-	269,885,142	-	-	-	-
3/23/2007	W/H TAX DIV BAC	(64,937)	-	* [1]	-	-	269,885,142	-	-	-	-
3/28/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(17)	-	* [1]	-	-	269,885,142	-	-	-	-
3/30/2007	CHECK WIRE	10,000,000	10,000,000	-	-	-	279,885,142	-	-	-	-
3/30/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(6)	-	* [1]	-	-	279,885,142	-	-	-	-
3/30/2007	W/H TAX DIV PEP	(14,925)	-	* [1]	-	-	279,885,142	-	-	-	-
3/30/2007	W/H TAX DIV S	(2,186)	-	* [1]	-	-	279,885,142	-	-	-	-
4/2/2007	W/H TAX DIV WMT	(16,561)	-	* [1]	-	-	279,885,142	-	-	-	-
4/2/2007	W/H TAX DIV KO	(21,427)	-	* [1]	-	-	279,885,142	-	-	-	-
4/2/2007	W/H TAX DIV MRK	(25,578)	-	* [1]	-	-	279,885,142	-	-	-	-
4/4/2007	W/H TAX DIV HPQ	(6,789)	-	* [1]	-	-	279,885,142	-	-	-	-

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	<u>Transaction Description</u>	<u>Transaction Amount Reported in Customer Statement</u>	<u>Cash Deposits</u>	<u>Cash Withdrawals</u>	<u>Transfers of Principal In</u>	<u>Transfers of Principal Out</u>	<u>Balance of Principal</u>	<u>90-Day Preferential Transfers</u>	<u>2-Year Cash Withdrawals</u>	<u>6-Year Cash Withdrawals</u>	<u>Full History Cash Withdrawals</u>
4/10/2007	W/H TAX DIV MO	(55,369)	-	* <sup>(1)</sup>	-	-	279,885,142	-	-	-	-
4/18/2007	CHECK WIRE	10,000,000	10,000,000	-	-	-	289,885,142	-	-	-	-
4/19/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(65)	-	* <sup>(1)</sup>	-	-	289,885,142	-	-	-	-
4/20/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(0)	-	* <sup>(1)</sup>	-	-	289,885,142	-	-	-	-
4/25/2007	W/H TAX DIV GE	(75,299)	-	* <sup>(1)</sup>	-	-	289,885,142	-	-	-	-
4/30/2007	CHECK WIRE	10,000,000	10,000,000	-	-	-	299,885,142	-	-	-	-
4/30/2007	CHECK WIRE	5,000,000	5,000,000	-	-	-	304,885,142	-	-	-	-
5/4/2007	W/H TAX DIV CVS	(2,008)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-
5/15/2007	W/H TAX DIV PG	(36,128)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-
5/21/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(8)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-
5/23/2007	W/H TAX DIV MER	(9,563)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-
5/24/2007	W/H TAX DIV GS	(2,756)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-
5/25/2007	W/H TAX DIV C	(85,251)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-
5/31/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(7)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-
6/1/2007	W/H TAX DIV INTC	(21,176)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-
6/1/2007	W/H TAX DIV WFC	(30,603)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-
6/1/2007	W/H TAX DIV BA	(8,823)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-
6/1/2007	W/H TAX DIV COP	(21,968)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-
6/4/2007	W/H TAX DIV WMT	(17,366)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-
6/5/2007	W/H TAX DIV PFE	(66,913)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-
6/5/2007	W/H TAX DIV UPS	(14,026)	-	* <sup>(1)</sup>	-	-	304,885,142	-	-	-	-
6/6/2007	W/H TAX DIV TYC	(6,468)	-	(6,468)	-	-	304,878,674	-	-	-	-
6/11/2007	W/H TAX DIV CVX	(40,500)	-	* <sup>(1)</sup>	-	-	304,878,674	-	-	-	-
6/11/2007	W/H TAX DIV XOM	(64,445)	-	* <sup>(1)</sup>	-	-	304,878,674	-	-	-	-
6/11/2007	W/H TAX DIV IBM	(19,430)	-	* <sup>(1)</sup>	-	-	304,878,674	-	-	-	-
6/11/2007	W/H TAX DIV UTX	(8,850)	-	* <sup>(1)</sup>	-	-	304,878,674	-	-	-	-
6/12/2007	W/H TAX DIV MMM	(11,658)	-	* <sup>(1)</sup>	-	-	304,878,674	-	-	-	-
6/12/2007	W/H TAX DIV JNJ	(38,676)	-	* <sup>(1)</sup>	-	-	304,878,674	-	-	-	-
6/14/2007	W/H TAX DIV MSFT	(28,128)	-	* <sup>(1)</sup>	-	-	304,878,674	-	-	-	-
6/15/2007	W/H TAX DIV AIG	(14,026)	-	* <sup>(1)</sup>	-	-	304,878,674	-	-	-	-
6/15/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(9)	-	* <sup>(1)</sup>	-	-	304,878,674	-	-	-	-
6/15/2007	W/H TAX DIV TWX	(6,897)	-	* <sup>(1)</sup>	-	-	304,878,674	-	-	-	-
6/15/2007	W/H TAX DIV WB	(34,003)	-	* <sup>(1)</sup>	-	-	304,878,674	-	-	-	-
6/21/2007	W/H TAX DIV HD	(15,028)	-	* <sup>(1)</sup>	-	-	304,878,674	-	-	-	-
6/22/2007	W/H TAX DIV BAC	(81,608)	-	* <sup>(1)</sup>	-	-	304,878,674	-	-	-	-
6/29/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(15)	-	* <sup>(1)</sup>	-	-	304,878,674	-	-	-	-
6/29/2007	W/H TAX DIV S	(2,353)	-	* <sup>(1)</sup>	-	-	304,878,674	-	-	-	-
6/29/2007	W/H TAX DIV PEP	(20,093)	-	* <sup>(1)</sup>	-	-	304,878,674	-	-	-	-
7/2/2007	W/H TAX DIV KO	(22,034)	-	* <sup>(1)</sup>	-	-	304,878,674	-	-	-	-
7/2/2007	W/H TAX DIV MRK	(26,535)	-	* <sup>(1)</sup>	-	-	304,878,674	-	-	-	-
7/5/2007	W/H TAX DIV HPQ	(7,044)	-	* <sup>(1)</sup>	-	-	304,878,674	-	-	-	-
7/10/2007	W/H TAX DIV MO	(46,722)	-	* <sup>(1)</sup>	-	-	304,878,674	-	-	-	-
7/11/2007	CHECK WIRE	10,000,000	10,000,000	-	-	-	314,878,674	-	-	-	-
7/17/2007	CXL W/H TAX DIV TYC	6,468	-	6,468	-	-	314,885,142	-	-	-	-
7/17/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(7)	-	* <sup>(1)</sup>	-	-	314,885,142	-	-	-	-
8/6/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(15)	-	* <sup>(1)</sup>	-	-	314,885,142	-	-	-	-
8/9/2007	CHECK WIRE	15,000,000	15,000,000	-	-	-	329,885,142	-	-	-	-
8/24/2007	W/H TAX DIV C	(36,551)	-	* <sup>(1)</sup>	-	-	329,885,142	-	-	-	-
9/4/2007	W/H TAX DIV INTC	(9,051)	-	* <sup>(1)</sup>	-	-	329,885,142	-	-	-	-
9/4/2007	W/H TAX DIV WMT	(7,305)	-	* <sup>(1)</sup>	-	-	329,885,142	-	-	-	-
9/4/2007	W/H TAX DIV WFC	(14,252)	-	* <sup>(1)</sup>	-	-	329,885,142	-	-	-	-
9/5/2007	W/H TAX DIV PFE	(28,147)	-	* <sup>(1)</sup>	-	-	329,885,142	-	-	-	-
9/7/2007	W/H TAX DIV BA	(3,576)	-	* <sup>(1)</sup>	-	-	329,885,142	-	-	-	-
9/10/2007	W/H TAX DIV IBM	(7,663)	-	* <sup>(1)</sup>	-	-	329,885,142	-	-	-	-
9/10/2007	W/H TAX DIV CVX	(17,037)	-	* <sup>(1)</sup>	-	-	329,885,142	-	-	-	-
9/10/2007	W/H TAX DIV XOM	(27,266)	-	* <sup>(1)</sup>	-	-	329,885,142	-	-	-	-
9/10/2007	W/H TAX DIV UTX	(4,495)	-	* <sup>(1)</sup>	-	-	329,885,142	-	-	-	-
9/13/2007	W/H TAX DIV MSFT	(11,622)	-	* <sup>(1)</sup>	-	-	329,885,142	-	-	-	-

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	<u>Transaction Description</u>	<u>Transaction Amount Reported in Customer Statement</u>	<u>Cash Deposits</u>	<u>Cash Withdrawals</u>	<u>Transfers of Principal In</u>	<u>Transfers of Principal Out</u>	<u>Balance of Principal</u>	<u>90-Day Preferential Transfers</u>	<u>2-Year Cash Withdrawals</u>	<u>6-Year Cash Withdrawals</u>	<u>Full History Cash Withdrawals</u>
9/14/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(92)	-	* <sup>(1)</sup>	-	-	329,885,142	-	-	-	-
9/18/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(3)	-	* <sup>(1)</sup>	-	-	329,885,142	-	-	-	-
9/20/2007	CHECK WIRE	5,000,000	5,000,000	-	-	-	334,885,142	-	-	-	-
9/26/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(8)	-	* <sup>(1)</sup>	-	-	334,885,142	-	-	-	-
10/1/2007	W/H TAX DIV KO	(8,861)	-	* <sup>(1)</sup>	-	-	334,885,142	-	-	-	-
10/10/2007	W/H TAX DIV MO	(20,478)	-	* <sup>(1)</sup>	-	-	334,885,142	-	-	-	-
10/25/2007	W/H TAX DIV GE	(54,072)	-	* <sup>(1)</sup>	-	-	334,885,142	-	-	-	-
10/29/2007	CHECK WIRE	45,000,000	45,000,000	-	-	-	379,885,142	-	-	-	-
10/31/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(57)	-	* <sup>(1)</sup>	-	-	379,885,142	-	-	-	-
11/7/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(13)	-	* <sup>(1)</sup>	-	-	379,885,142	-	-	-	-
11/13/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(7)	-	* <sup>(1)</sup>	-	-	379,885,142	-	-	-	-
11/15/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(2)	-	* <sup>(1)</sup>	-	-	379,885,142	-	-	-	-
11/21/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(3)	-	* <sup>(1)</sup>	-	-	379,885,142	-	-	-	-
11/21/2007	W/H TAX DIV C	(24,716)	-	* <sup>(1)</sup>	-	-	379,885,142	-	-	-	-
11/21/2007	W/H TAX DIV MER	(2,913)	-	* <sup>(1)</sup>	-	-	379,885,142	-	-	-	-
11/23/2007	CHECK WIRE	30,000,000	30,000,000	-	-	-	409,885,142	-	-	-	-
11/30/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(8)	-	* <sup>(1)</sup>	-	-	409,885,142	-	-	-	-
12/3/2007	W/H TAX DIV COP	(6,142)	-	* <sup>(1)</sup>	-	-	409,885,142	-	-	-	-
12/3/2007	W/H TAX DIV MCD	(25,535)	-	* <sup>(1)</sup>	-	-	409,885,142	-	-	-	-
12/10/2007	W/H TAX DIV CVX	(17,469)	-	* <sup>(1)</sup>	-	-	409,885,142	-	-	-	-
12/10/2007	W/H TAX DIV UTX	(4,609)	-	* <sup>(1)</sup>	-	-	409,885,142	-	-	-	-
12/10/2007	W/H TAX DIV EXC	(4,033)	-	* <sup>(1)</sup>	-	-	409,885,142	-	-	-	-
12/11/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(14)	-	* <sup>(1)</sup>	-	-	409,885,142	-	-	-	-
12/11/2007	W/H TAX DIV JNJ	(33,030)	-	* <sup>(1)</sup>	-	-	409,885,142	-	-	-	-
12/12/2007	W/H TAX DIV MMM	(9,859)	-	* <sup>(1)</sup>	-	-	409,885,142	-	-	-	-
12/13/2007	W/H TAX DIV MSFT	(12,676)	-	* <sup>(1)</sup>	-	-	409,885,142	-	-	-	-
12/20/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(4)	-	* <sup>(1)</sup>	-	-	409,885,142	-	-	-	-
12/31/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(4)	-	* <sup>(1)</sup>	-	-	409,885,142	-	-	-	-
1/2/2008	W/H TAX DIV HPQ	(1,981)	-	* <sup>(1)</sup>	-	-	409,885,142	-	-	-	-
1/2/2008	W/H TAX DIV WMT	(5,059)	-	* <sup>(1)</sup>	-	-	409,885,142	-	-	-	-
1/3/2008	W/H TAX DIV UPS	(6,050)	-	* <sup>(1)</sup>	-	-	409,885,142	-	-	-	-
1/28/2008	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(13)	-	* <sup>(1)</sup>	-	-	409,885,142	-	-	-	-
2/1/2008	CHECK WIRE	10,000,000	10,000,000	-	-	-	419,885,142	-	-	-	-
2/20/2008	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(10)	-	* <sup>(1)</sup>	-	-	419,885,142	-	-	-	-
2/22/2008	W/H TAX DIV C	(29,870)	-	* <sup>(1)</sup>	-	-	419,885,142	-	-	-	-
2/27/2008	CHECK WIRE	10,000,000	10,000,000	-	-	-	429,885,142	-	-	-	-
2/28/2008	W/H TAX DIV GS	(2,420)	-	* <sup>(1)</sup>	-	-	429,885,142	-	-	-	-
3/3/2008	W/H TAX DIV WFC	(19,827)	-	* <sup>(1)</sup>	-	-	429,885,142	-	-	-	-
3/3/2008	W/H TAX DIV INTC	(13,885)	-	* <sup>(1)</sup>	-	-	429,885,142	-	-	-	-
3/3/2008	W/H TAX DIV COP	(13,812)	-	* <sup>(1)</sup>	-	-	429,885,142	-	-	-	-
3/4/2008	W/H TAX DIV PFE	(39,827)	-	* <sup>(1)</sup>	-	-	429,885,142	-	-	-	-
3/4/2008	W/H TAX DIV UPS	(8,557)	-	* <sup>(1)</sup>	-	-	429,885,142	-	-	-	-
3/5/2008	CHECK WIRE	10,000,000	10,000,000	-	-	-	439,885,142	-	-	-	-
3/5/2008	W/H TAX DIV MER	(5,445)	-	* <sup>(1)</sup>	-	-	439,885,142	-	-	-	-
3/7/2008	W/H TAX DIV BA	(5,532)	-	* <sup>(1)</sup>	-	-	439,885,142	-	-	-	-
3/10/2008	W/H TAX DIV CVX	(23,060)	-	* <sup>(1)</sup>	-	-	439,885,142	-	-	-	-
3/10/2008	W/H TAX DIV XOM	(36,301)	-	* <sup>(1)</sup>	-	-	439,885,142	-	-	-	-
3/10/2008	W/H TAX DIV EXC	(6,050)	-	* <sup>(1)</sup>	-	-	439,885,142	-	-	-	-
3/10/2008	W/H TAX DIV IBM	(10,372)	-	* <sup>(1)</sup>	-	-	439,885,142	-	-	-	-
3/10/2008	W/H TAX DIV UTX	(6,085)	-	* <sup>(1)</sup>	-	-	439,885,142	-	-	-	-
3/11/2008	W/H TAX DIV JNJ	(22,238)	-	* <sup>(1)</sup>	-	-	439,885,142	-	-	-	-
3/12/2008	W/H TAX DIV MMM	(6,914)	-	* <sup>(1)</sup>	-	-	439,885,142	-	-	-	-
3/13/2008	W/H TAX DIV MSFT	(16,543)	-	* <sup>(1)</sup>	-	-	439,885,142	-	-	-	-
3/17/2008	W/H TAX DIV MCD	(8,427)	-	* <sup>(1)</sup>	-	-	439,885,142	-	-	-	-
3/17/2008	W/H TAX DIV WB	(24,339)	-	* <sup>(1)</sup>	-	-	439,885,142	-	-	-	-
3/17/2008	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(29)	-	* <sup>(1)</sup>	-	-	439,885,142	-	-	-	-
3/17/2008	W/H TAX DIV TWX	(4,213)	-	* <sup>(1)</sup>	-	-	439,885,142	-	-	-	-
3/19/2008	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(0)	-	* <sup>(1)</sup>	-	-	439,885,142	-	-	-	-

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Date	<u>Transaction Description</u>	<u>Transaction Amount</u> <u>Reported in</u> <u>Customer Statement</u>	<u>Cash</u> <u>Deposits</u>	<u>Cash</u> <u>Withdrawals</u>	<u>Transfers of</u> <u>Principal In</u>	<u>Transfers of</u> <u>Principal Out</u>	<u>Balance of</u> <u>Principal</u>	<u>90-Day</u> <u>Preferential</u> <u>Transfers</u>	<u>2-Year</u> <u>Cash</u> <u>Withdrawals</u>	<u>6-Year</u> <u>Cash</u> <u>Withdrawals</u>	<u>Full History</u> <u>Cash</u> <u>Withdrawals</u>
3/24/2008	W/H TAX DIV AIG	(9,680)	-	* <sup>(1)</sup>	-	-	439,885,142	-	-	-	-
3/27/2008	W/H TAX DIV HD	(7,001)	-	* <sup>(1)</sup>	-	-	439,885,142	-	-	-	-
3/28/2008	W/H TAX DIV BAC	(53,103)	-	* <sup>(1)</sup>	-	-	439,885,142	-	-	-	-
3/31/2008	W/H TAX DIV PEP	(11,020)	-	* <sup>(1)</sup>	-	-	439,885,142	-	-	-	-
4/1/2008	W/H TAX DIV MRK	(15,765)	-	* <sup>(1)</sup>	-	-	439,885,142	-	-	-	-
4/1/2008	W/H TAX DIV KO	(14,451)	-	* <sup>(1)</sup>	-	-	439,885,142	-	-	-	-
4/2/2008	W/H TAX DIV HPQ	(3,872)	-	* <sup>(1)</sup>	-	-	439,885,142	-	-	-	-
4/3/2008	CHECK WIRE	10,000,000	10,000,000	-	-	-	449,885,142	-	-	-	-
4/4/2008	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(5)	-	* <sup>(1)</sup>	-	-	449,885,142	-	-	-	-
4/4/2008	W/H TAX DIV KFT	(7,934)	-	* <sup>(1)</sup>	-	-	449,885,142	-	-	-	-
4/7/2008	W/H TAX DIV WMT	(10,264)	-	* <sup>(1)</sup>	-	-	449,885,142	-	-	-	-
4/10/2008	CHECK WIRE	16,000,000	16,000,000	-	-	-	465,885,142	-	-	-	-
4/23/2008	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(7)	-	* <sup>(1)</sup>	-	-	465,885,142	-	-	-	-
4/25/2008	W/H TAX DIV GE	(58,409)	-	* <sup>(1)</sup>	-	-	465,885,142	-	-	-	-
4/25/2008	W/H TAX DIV MDT	(2,372)	-	* <sup>(1)</sup>	-	-	465,885,142	-	-	-	-
4/30/2008	W/H TAX DIV MS	(4,696)	-	* <sup>(1)</sup>	-	-	465,885,142	-	-	-	-
4/30/2008	W/H TAX DIV JPM	(21,632)	-	* <sup>(1)</sup>	-	-	465,885,142	-	-	-	-
5/1/2008	W/H TAX DIV VZ	(21,079)	-	* <sup>(1)</sup>	-	-	465,885,142	-	-	-	-
5/1/2008	W/H TAX DIV T	(41,114)	-	* <sup>(1)</sup>	-	-	465,885,142	-	-	-	-
5/2/2008	W/H TAX DIV BK	(4,554)	-	* <sup>(1)</sup>	-	-	465,885,142	-	-	-	-
5/2/2008	W/H TAX DIV CVS	(1,518)	-	* <sup>(1)</sup>	-	-	465,885,142	-	-	-	-
5/9/2008	W/H TAX DIV AXP	(3,416)	-	* <sup>(1)</sup>	-	-	465,885,142	-	-	-	-
5/15/2008	W/H TAX DIV ABT	(9,678)	-	* <sup>(1)</sup>	-	-	465,885,142	-	-	-	-
5/15/2008	W/H TAX DIV PG	(21,506)	-	* <sup>(1)</sup>	-	-	465,885,142	-	-	-	-
5/20/2008	W/H TAX DIV CAT	(3,985)	-	* <sup>(1)</sup>	-	-	465,885,142	-	-	-	-
5/23/2008	W/H TAX DIV C	(27,325)	-	* <sup>(1)</sup>	-	-	465,885,142	-	-	-	-
5/28/2008	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(28)	-	* <sup>(1)</sup>	-	-	465,885,142	-	-	-	-
5/29/2008	W/H TAX DIV GS	(2,214)	-	* <sup>(1)</sup>	-	-	465,885,142	-	-	-	-
6/2/2008	W/H TAX DIV COP	(8,038)	-	* <sup>(1)</sup>	-	-	465,885,142	-	-	-	-
6/2/2008	W/H TAX DIV WMT	(18,271)	-	* <sup>(1)</sup>	-	-	465,885,142	-	-	-	-
6/2/2008	W/H TAX DIV WFC	(32,531)	-	* <sup>(1)</sup>	-	-	465,885,142	-	-	-	-
6/2/2008	W/H TAX DIV INTC	(13,947)	-	* <sup>(1)</sup>	-	-	465,885,142	-	-	-	-
6/3/2008	W/H TAX DIV PFE	(70,067)	-	* <sup>(1)</sup>	-	-	465,885,142	-	-	-	-
6/3/2008	W/H TAX DIV UPS	(14,647)	-	* <sup>(1)</sup>	-	-	465,885,142	-	-	-	-
6/6/2008	W/H TAX DIV BA	(9,468)	-	* <sup>(1)</sup>	-	-	465,885,142	-	-	-	-
6/10/2008	W/H TAX DIV EXC	(10,356)	-	* <sup>(1)</sup>	-	-	465,885,142	-	-	-	-
6/10/2008	W/H TAX DIV JNJ	(14,346)	-	* <sup>(1)</sup>	-	-	465,885,142	-	-	-	-
6/10/2008	W/H TAX DIV UTX	(10,415)	-	* <sup>(1)</sup>	-	-	465,885,142	-	-	-	-
6/10/2008	W/H TAX DIV IBM	(22,192)	-	* <sup>(1)</sup>	-	-	465,885,142	-	-	-	-
6/10/2008	W/H TAX DIV CVX	(44,236)	-	* <sup>(1)</sup>	-	-	465,885,142	-	-	-	-
6/10/2008	W/H TAX DIV XOM	(69,279)	-	* <sup>(1)</sup>	-	-	465,885,142	-	-	-	-
6/12/2008	W/H TAX DIV MSFT	(28,317)	-	* <sup>(1)</sup>	-	-	465,885,142	-	-	-	-
6/12/2008	W/H TAX DIV MMM	(11,836)	-	* <sup>(1)</sup>	-	-	465,885,142	-	-	-	-
7/21/2008	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(46)	-	* <sup>(1)</sup>	-	-	465,885,142	-	-	-	-
7/23/2008	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(1)	-	* <sup>(1)</sup>	-	-	465,885,142	-	-	-	-
8/1/2008	W/H TAX DIV CVS	(2,264)	-	* <sup>(1)</sup>	-	-	465,885,142	-	-	-	-
8/8/2008	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(3)	-	* <sup>(1)</sup>	-	-	465,885,142	-	-	-	-
8/13/2008	CHECK WIRE	(20,000,000)	-	(20,000,000)	-	-	445,885,142	-	(20,000,000)	(20,000,000)	(20,000,000)
8/13/2008	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(0)	-	* <sup>(1)</sup>	-	-	445,885,142	-	-	-	-
8/14/2008	CHECK WIRE	(10,000,000)	-	(10,000,000)	-	-	435,885,142	-	(10,000,000)	(10,000,000)	(10,000,000)
8/18/2008	CHECK WIRE	(30,000,000)	-	(30,000,000)	-	-	405,885,142	-	(30,000,000)	(30,000,000)	(30,000,000)
8/18/2008	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(2)	-	* <sup>(1)</sup>	-	-	405,885,142	-	-	-	-
8/20/2008	W/H TAX DIV CAT	(6,030)	-	* <sup>(1)</sup>	-	-	405,885,142	-	-	-	-
8/22/2008	W/H TAX DIV C	(38,725)	-	* <sup>(1)</sup>	-	-	405,885,142	-	-	-	-
8/28/2008	W/H TAX DIV GS	(2,872)	-	* <sup>(1)</sup>	-	-	405,885,142	-	-	-	-
9/9/2008	CHECK WIRE	(20,000,000)	-	(20,000,000)	-	-	385,885,142	-	(20,000,000)	(20,000,000)	(20,000,000)
9/10/2008	CHECK WIRE	(10,000,000)	-	(10,000,000)	-	-	375,885,142	-	(10,000,000)	(10,000,000)	(10,000,000)
10/2/2008	FIDELITY SPARTAN U S TREASURY MONEY MARKET	(4)	-	* <sup>(1)</sup>	-	-	375,885,142	-	-	-	-



<sup>[1]</sup> Amounts withheld from account holders and paid by BLMIS to the IRS on behalf of customer during the six-year period prior to the filing date have been excluded from the Principal Balance calculation as those amounts have subsequently been refunded by the IRS.

## **EXHIBIT 1**





Hemisphere Management Limited  
Hemisphere House  
9 Church Street  
Hamilton

**PricewaterhouseCoopers**  
Chartered Accountants  
Dorchester House  
7 Church Street  
Hamilton  
Bermuda HM 11  
Telephone +1 (441) 295 2000  
Facsimile +1 (441) 295 1242

Attention: Mr. Damian Resnik

February 2, 2000

Reference: DQJ/RWW/swb 45109ENGAGE LTR-150-1

Dear Sir,

**Subject: Kingate Global Fund Ltd (the "Fund")**

Thank you for re-appointing PricewaterhouseCoopers as your auditors for the year ended December 31, 1999. The purpose of this letter is to confirm our mutual understanding of the terms of our engagement.

**Our Responsibilities**

Our responsibility as auditors of the Fund is to report to the shareholders whether the Fund's annual financial statements present fairly, in all material respects, the Fund's financial position, results of operations and changes in financial position in accordance with accounting principles generally accepted in United States of America.

We will be responsible for performing the audit in accordance with auditing standards generally accepted in United States of America. These standards require that we plan and perform the audit to attain reasonable assurance about whether the financial statements are free of material misstatement. The audit will include examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements, assessing accounting principles used and significant estimates made by management, and evaluating the overall financial statement presentation.

MAILING ADDRESS: PO BOX HM 1171, Hamilton, Bermuda HM EX.

A list of partners can be obtained from the above address

KING\_000067985

KING\_000067985





**Hemisphere Management Limited**

**February 2, 2000**

**Reference: DQJ/RWW/swb 45109ENGAGE LTR-150-1**

If an annual report is to be provided to shareholders, we will also read the other information included in the annual report to shareholders and consider whether such information, including the manner of its presentation, is materially inconsistent with information appearing in the financial statements.

### **Engagement Team Leaders**

The engagement will be led by:

- Darren Johnston, engagement leader, who will be responsible for assuring the overall quality, value, and timeliness of our services to you;
- George Holmes, will serve as the concurring partner and will be available in the absence of the engagement partner; and
- Richard Whitefield, team manager, who will be responsible for managing the delivery of our services to you.

### **Terms and Conditions Supporting Fee**

Any fees estimated by PricewaterhouseCoopers will take into account the level of preparation and assistance from Hemisphere Management Limited ("Hemisphere") as already mutually agreed, and from client personnel. PricewaterhouseCoopers undertakes to advise Hemisphere and the Fund's management on a timely basis should this preparation and assistance not be provided or should any other circumstances arise which cause actual time to exceed that estimate.

In providing our services, we will consult with Hemisphere about matters of accounting, financial reporting or other significant accounting business issues. Accordingly, our fee reflects the time necessary for a reasonable amount of such consultation. However, should a matter require research, consultation or audit work beyond that amount, PricewaterhouseCoopers and the Fund will agree on an appropriate revision in services and fee.

(2)

KING\_000067986

KING\_000067985





**Hemisphere Management Limited**

**February 2, 2000**

**Reference: DQJ/RWW/swb 45109ENGAGE LTR-150-1**

Our fees will be limited to those set out below, subject to any changes in fees, which may result from the circumstances described above.

Our estimate of fees for the services described above will be \$30,000, subject to terms and conditions above, excluding out-of-pocket expenses.

PricewaterhouseCoopers will bill for all reasonable expenses including telephone, facsimile transmission, photocopying, delivery, postage, clerical assistance and computer usage.

Our fees and out-of-pocket expenses will be billed as follows:

<b>(i) Date</b>	<b>(ii) Amount</b>
Upon commencement of fieldwork	50% of estimated fees
Upon issuance of final financial statements *	Remaining fees and expenses

(Note: \* Payment should not be delayed for events beyond the control of PricewaterhouseCoopers)

Invoices are due and payable upon receipt. Interest may be charged on the balance of any accounts remaining unpaid for more than 30 days at a monthly rate of 1-1/2% (or as set out on the invoice).

#### **Internal Control and Limitations of the Auditing Process**

We will consider the Fund's internal control over financial reporting solely for the purpose of determining the nature, timing and extent of auditing procedures necessary for expressing our opinion on the financial statements. This consideration will not be sufficient to enable us to render an opinion on the effectiveness of internal control over financial reporting. However, we will inform the appropriate level of management of any significant weaknesses in internal control that come to our attention.

(3)

KING\_000067987

KING\_000067985





**Hemisphere Management Limited**

**February 2, 2000**

**Reference: DQJ/RWW/swb 45109ENGAGE LTR-150-1**

We will design our audit to provide reasonable, but not absolute, assurance of detecting errors or fraud that would have a material effect on the financial statements as well as illegal acts having a direct and material effect on the financial statements.

It is important to recognise that there are inherent limitations in the auditing process. Audits are based on the concept of selective testing of the data underlying the financial statements and are, therefore, subject to the limitation that material misstatements arising from the consequences of errors or fraud, or illegal acts, if any exist, may not be detected. Because of the nature of fraud, including attempts at concealment through collusion and forgery, an audit designed and executed in accordance with generally accepted auditing standards may not detect a material fraud. Further, while effective internal control reduces the likelihood that errors, fraud or illegal acts will occur and remain undetected, it does not eliminate that possibility. For these reasons we can not guarantee that errors, fraud or illegal acts, if present, will be detected. However, we will inform the appropriate level of management of any material errors that come to our attention and any fraud or illegal acts that come to our attention, unless they are clearly inconsequential.

### **Management's Responsibilities**

The financial statements referred to above are the responsibility of management. In this regard, management is responsible for ensuring that transactions are properly recorded in the accounting records and maintaining internal control sufficient to permit the preparation of financial statements in conformity with generally accepted accounting principles. Management is responsible for adjusting the financial statements to correct material misstatements, if any, and for affirming to us in the representation letter that the effects of any uncorrected misstatements brought to its attention by us are immaterial, both individually and in the aggregate, to the financial statements taken as a whole. Management is also responsible for identifying and ensuring that the Fund complies with the laws and regulations applicable to its activities.

An audit of financial statements conducted in accordance with generally accepted auditing standards is not designed to detect whether the Fund's systems are Year 2000 compliant. Further, we have no responsibility with regard to the Fund's efforts to make its systems, or any other systems, such as those of the Fund's vendors, service providers, or any other third

(4)

KING\_000067988

KING\_000067985





**Hemisphere Management Limited**

**February 2, 2000**

**Reference: DQJ/RWW/swb 45109ENGAGE LTR-150-1**

parties, Year 2000 compliant or provide assurance on whether the Fund has addressed or will be able to address all of the affected systems on a timely basis. These are responsibilities of the Fund's management.

Management is also responsible for making available to us, upon request, all of the original accounting records and related information, and personnel to whom we may direct inquiries. As required by generally accepted auditing standards, we will make specific inquiries of management and others about the representations embodied in the financial statements and the effectiveness of internal control over financial reporting. Generally accepted auditing standards also require that we obtain representation letters covering the financial statements from certain members of management. The results of our audit tests, the responses to our inquiries and the written representations comprise the evidential matter we intend to rely upon in forming our opinion on the financial statements.

### **Representation from Management**

As noted above, at the conclusion of the engagement, the Fund's management will provide to us a representation letter that, among other things, will confirm:

- management's responsibility for the preparation of the financial statements in accordance with generally accepted accounting principles;
- the completeness and accuracy of financial records and related data;
- the completeness and availability of all minutes of the Board and committee meetings; and
- to the best of their knowledge and belief, the absence of illegal acts, fraud and other irregularities involving management or those employees who have significant roles in the control structure.
- The Fund's compliance with its investment restrictions as stated in its most recent offering memorandum.
- The Fund's reported net assets throughout the year have been properly computed in accordance with its bye-laws.

(5)

KING\_000067989

KING\_000067985





**Hemisphere Management Limited**

**February 2, 2000**

**Reference: DQJ/RWW/swb 45109ENGAGE LTR-150-1**

## **Representation from Investment Advisor**

At the conclusion of the engagement, the Fund's management will provide to us a representation letter, that among other things, will confirm:

- To the best of their knowledge and belief, the absence of illegal acts, fraud and other irregularities involving management or those employees who have significant roles in the control structure.
- The portfolio securities as shown in the financial statements are stated at value as determined in accordance with the valuation method set forth in the most recent offering memorandum.
- The Fund's compliance with its investment objectives, policies and investment restrictions as stated in its most recent offering memorandum.

## **Publication/Reproduction of Financial Statements**

If management intends to publish or reproduce, in printed form or electronically (e.g., on an Internet Web Site), the financial statements together with our report (or otherwise make reference to our firm) in a document that contains other information, management agrees to (a) provide us with a draft of such document to read, and (b) obtain our approval for inclusion of our report, before the document is finalised and distributed. Where our audit report is reproduced in any medium, the complete financial statements, including notes, must also be presented.

## **Communications**

At the end of the engagement, we will provide management with our recommendations designed to help make improvements in its internal control structure and operation. This communication will include any other significant matters that may come to our attention (see Internal Control and Limitations of the Auditing Process above).

(6)

KING\_000067990

KING\_000067985





**Hemisphere Management Limited**

**February 2, 2000**

**Reference: DQJ/RWW/swb 45109ENGAGE LTR-150-1**

### **Indemnification for Management Misrepresentations**

The Fund hereby indemnifies PricewaterhouseCoopers and its partners and employees, and holds them harmless from all claims, liabilities, losses, and costs arising in circumstances where there has been a knowing misrepresentation by a member of the Fund's management, regardless of whether such person was acting in the Fund's interest. This indemnification will survive termination of this engagement letter.

### **Limitation of Liability**

In any action, claim, loss or damage arising out of the engagement, the client agrees that PricewaterhouseCoopers' liability will be several and not joint and several; and the client may only claim payment from PricewaterhouseCoopers of PricewaterhouseCoopers' proportionate share of the total liability based on degree of fault.

### **Working Papers**

All working papers and files, other materials, reports and work created, developed or performed by PricewaterhouseCoopers during the course of the audit are the property of PricewaterhouseCoopers.

### **Governing Law**

This agreement shall be governed by and construed in accordance with the laws of Bermuda.

### **Timely Performance**

PricewaterhouseCoopers will use all reasonable efforts to complete within any agreed upon time frame the performance of the services described in the engagement. However, PricewaterhouseCoopers shall not be liable for failures or delays in performance that arise from causes beyond its control, including the untimely performance by the client of its obligations as set out above under the headings Terms and Conditions Supporting Fee and Management's Responsibilities.

(7)

KING\_000067991

KING\_000067985





**Hemisphere Management Limited**

**February 2, 2000**

**Reference: DQJ/RWW/swb 45109ENGAGE LTR-150-1**

### **Other Matters**

Any additional services that you may request and we agree to provide will be the subject of separate written arrangements.

The agreement of the Fund and PricewaterhouseCoopers outlined in this engagement letter shall survive the completion and termination of this engagement.

We are proud to serve as your auditors and we appreciate your confidence in our work. If the services outlined herein are in accordance with your requirements and if the above terms are acceptable to you, please have one copy of this letter signed in the space provided below and return it to us.

Yours very truly,

A handwritten signature in black ink, appearing to read 'Darren Q Johnston', written over the PricewaterhouseCoopers logo.

**Darren Q Johnston**  
**Partner, Assurance and Business Advisory Service**

(8)

KING\_000067992

KING\_000067985

FILE No.263 03/01 '00 11:14 ID:Konica FAX9615FP

FAX:

PAGE 2

03/01/2000 10:11 FAX 441 296 5641

HEMISPHERE MANAGEMENT

010/010

PRICEWATERHOUSECOOPERS 

Hemisphere Management Limited

February 2, 2000

Reference: DQJ/RWW/awb 45109ENGAGE LTR-150-1

The services and terms as set forth in this letter are agreed to.

Signed on behalf of the Board of Directors

By:   
Director's Signature

MARCH 1ST, 2000.  
Date

CATHERINE  
Director's Name (please print)

(9)

KING\_000067993

KING\_000067985

## **EXHIBIT 2**





**PricewaterhouseCoopers**  
Chartered Accountants  
Dorchester House  
7 Church Street  
Hamilton  
Bermuda HM 11  
Telephone +1 (441) 295 2000  
Facsimile +1 (441) 295 1242

Mr. Christopher Wetherhill  
c/o Hemisphere Management Limited  
Hemisphere House  
9 Church Street  
Hamilton

COPY

December 14, 2000

Reference: DQJ/SWB/cdh ENGAGE LTR-150-1

**Subject: Kingate Global Fund, Ltd. – USD Shares**  
**Kingate Euro Fund, Ltd. (together the “Funds”)**

Dear Mr Wetherhill,

The purpose of this letter is to confirm our understanding of the terms of our engagement as auditors of Kingate Global Fund, Ltd. – USD Shares and Kingate Euro Fund, Ltd. (hereinafter referred to as the “Funds”).

**Services and related report**

We will audit the Funds’ financial statements of net assets at December 31, 2000, and the related statements of operations and changes in net assets (hereinafter collectively referred to as the “financial statements”) for the year then ending. Upon completion of our audit, we will provide you with our audit report on the financial statements referred to above. If, for any reasons caused by you or relating to the affairs of the Funds, we are unable to complete the audit, we may decline to issue reports as a result of these engagements.

MAILING ADDRESS: PO BOX HM 1171, Hamilton, Bermuda HM EX.

A list of partners can be obtained from the above address

KING\_000009497

KING\_000009497





**Kingate Global Fund, Ltd. – USD Shares**

**Kingate Euro Fund, Ltd.**

**December 14, 2000**

**Reference: DQJ/SWB/cdh ENGAGE LTR-150-1**

### **Our responsibilities and limitations**

The objective of an audit is the expression of an opinion on the financial statements. We will be responsible for performing the audit in accordance with auditing standards generally accepted in the United States of America. These standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. The audit will include examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements, assessing accounting principles used and significant estimates made by management, and evaluating the overall financial statement presentation in accordance with accounting standards generally accepted in the United States of America.

We will consider the Funds' internal control over financial reporting solely for the purpose of determining the nature, timing and extent of auditing procedures necessary for expressing our opinion on the financial statements. This consideration will not be sufficient to enable us to provide assurance on the effectiveness of internal control over financial reporting. However, any significant deficiencies relating to internal control over financial reporting identified during our audit will be communicated to you.

We will design our audit to obtain reasonable, but not absolute, assurance of detecting errors or fraud that would have a material effect on the financial statements as well as other illegal acts having a direct and material effect on financial statement amounts. Our audit will not include a detailed audit of transactions, such as would be necessary to disclose errors or fraud that did not cause a material misstatement of the financial statements. It is important to recognize that there are inherent limitations in the auditing process. Audits are based on the concept of selective testing of the data underlying the financial statements, which involves judgment regarding the areas to be tested and the nature, timing, extent and results of the tests to be performed. Audits are, therefore, subject to the limitation that material errors or fraud or other illegal acts having a direct and material financial statement impact, if they exist, may not be detected. Because of the characteristics of fraud, particularly those involving concealment through collusion and falsified documentation (including forgery), an audit designed and executed in accordance with generally accepted auditing standards may not detect a material fraud. Further, while effective internal control reduces the likelihood that errors, fraud or other illegal acts will occur and remain undetected, it does not eliminate that possibility. For

(2)

KING\_000009498

KING\_000009497





**Kingate Global Fund, Ltd. – USD Shares**

**Kingate Euro Fund, Ltd.**

**December 14, 2000**

**Reference: DQJ/SWB/cdh ENGAGE LTR-150-1**

these reasons we cannot ensure that errors, fraud or other illegal acts, if present, will be detected. However, we will communicate to you, as appropriate, any illegal act, material errors, or evidence that fraud may exist identified during our audit.

Our audit is intended for the benefit of the Funds. The audit will not be planned or conducted in contemplation of reliance by any third party or with respect to any specific transaction. Therefore, items of a possible interest to a third party will not be specifically addressed and matters may exist that would be assessed differently by a third party, possibly in connection with a specific transaction.

### **Management's responsibilities**

The financial statements referred to above are the responsibility of the management of the Funds. In this regard, management is responsible for properly recording transactions in the accounting records and for establishing and maintaining internal control sufficient to permit the preparation of financial statements in conformity with generally accepted accounting principles. Management is responsible for adjusting the financial statements to correct material misstatements and for affirming to us in the representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the year ending December 31, 2000 are immaterial, both individually and in the aggregate, to the financial statements taken as a whole. Management also is responsible for identifying and ensuring that the Funds comply with the laws and regulations applicable to their activities.

Management is responsible for making available to us, on a timely basis, all of the Funds' original accounting records and related information and Fund personnel to whom we may direct inquiries. As required by generally accepted auditing standards, we will make specific inquiries of management and others about the representations embodied in the financial statements and the effectiveness of internal control over financial reporting. Generally accepted auditing standards also require that we obtain written representations covering audited financial statements from certain members of management. The results of our audit tests, the responses to our inquiries and the written representations comprise the evidential matter we intend to rely upon in forming our opinions on the financial statements.

(3)

KING\_000009499

KING\_000009497





**Kingate Global Fund, Ltd. – USD Shares**

**Kingate Euro Fund, Ltd.**

**December 14, 2000**

**Reference: DQJ/SWB/cdh ENGAGE LTR-150-1**

### **Representation from Management**

As noted above, at the conclusion of the engagement, the Funds' management will provide to us representation letters that, among other things, will confirm:

- management's responsibility for the preparation of the financial statements in accordance with generally accepted accounting principles;
- the completeness and accuracy of financial records and related data;
- the completeness and availability of all minutes of the Board and committee meetings;
- to the best of their knowledge and belief, the absence of illegal acts, fraud and other irregularities involving management or those employees who have significant roles in the control structure;
- that the effects of any uncorrected misstatements brought to its attention by us are immaterial, both individually and in the aggregate, to the financial statements taken as a whole;
- the Funds' compliance with their investment restrictions as stated in their most recent offering memorandums; and
- the Funds' reported net assets throughout the year have been properly computed in accordance with their bye-laws.

### **Representation from Investment Advisor**

At the conclusion of the engagements, the Funds' management will provide to us representation letters, that among other things, will confirm:

- To the best of their knowledge and belief, the absence of illegal acts, fraud and other irregularities involving management or those employees who have significant roles in the control structure.

(4)

KING\_000009500

KING\_000009497





**Kingate Global Fund, Ltd. – USD Shares**

**Kingate Euro Fund, Ltd.**

**December 14, 2000**

**Reference: DQJ/SWB/cdh ENGAGE LTR-150-1**

- The portfolio securities as shown in the financial statements are stated at value as determined in accordance with the valuation method set forth in the most recent offering memorandum.
- The Funds' compliance with their investment objectives, policies and investment restrictions as stated in their most recent offering memorandums.

### **Other documents**

Generally accepted auditing standards require that we read any annual report that contains our audit report. The purpose of this procedure is to consider whether other information in the annual report, including the manner of its presentation, is materially inconsistent with information appearing in the financial statements. We assume no obligation to perform procedures to corroborate such other information as part of our audit.

If management intends to publish or reproduce, in printed form or electronically (e.g., on an Internet Web Site), the financial statements together with our reports (or otherwise make reference to our firm) in a document that contains other information, management agrees to (a) provide us with a draft of such document to read, and (b) obtain our approval for inclusion of our reports, before the documents are finalized and distributed. Where our audit report is reproduced in any medium, the complete financial statements, including notes, must also be presented.

The Funds may wish to include our reports on these financial statements in a registration statement for a securities offering. You agree that the aforementioned audit report, or reference to our Firm, will not be included in any such offering without our prior permission or consent. Any agreement to perform work in connection with an offering, including an agreement to provide permission or consent, will be a separate engagement.

(5)

KING\_000009501

KING\_000009497





**Kingate Global Fund, Ltd. – USD Shares**

**Kingate Euro Fund, Ltd.**

**December 14, 2000**

**Reference: DQJ/SWB/cdh ENGAGE LTR-150-1**

## **Release and indemnification**

Because of the importance of oral and written representations to an effective audit, the Funds release PricewaterhouseCoopers and its personnel from any and all claims, liabilities, costs and expenses attributable to any knowing misrepresentation by management.

Further, the Funds agree to indemnify and hold harmless PricewaterhouseCoopers and its personnel from any and all claims, liabilities, costs and expenses relating to PricewaterhouseCoopers' services under this engagement letter, except to the extent finally determined to have resulted from the wilful misconduct or fraudulent behaviour of PricewaterhouseCoopers relating to such services.

In no event shall PricewaterhouseCoopers be liable to the Funds, whether a claim be in tort, contract or otherwise:

- (a) for any amount in excess of the total professional fees paid by the Funds under this engagement letter; or
- (b) for any consequential, indirect, lost profit or similar damages relating to PricewaterhouseCoopers' services provided under this engagement letter, except to the extent finally determined to have resulted from the wilful misconduct or fraudulent behaviour of PricewaterhouseCoopers relating to such services.

## **Limitation of Liability**

In any action, claim, loss or damage arising out of the engagement, the client agrees that PricewaterhouseCoopers' liability will be several and not joint and several; and the client may only claim payment from PricewaterhouseCoopers of PricewaterhouseCoopers' proportionate share of the total liability based on degree of fault.

In the unlikely event that differences concerning our services or fees should arise that are not resolved by mutual agreement, to facilitate judicial resolution and save time and expense of both parties, the Funds and PricewaterhouseCoopers agree not to demand a trial by jury in any

(6)

KING\_000009502

KING\_000009497





**Kingate Global Fund, Ltd. – USD Shares**  
**Kingate Euro Fund, Ltd.**  
**December 14, 2000**  
**Reference: DQJ/SWB/cdh ENGAGE LTR-150-1**

action, proceeding or counterclaim arising out of or relating to our services and fees for this engagement.

### **Working Papers**

All working papers and files, other materials, reports and work created, developed or performed by PricewaterhouseCoopers during the course of the audit are the property of PricewaterhouseCoopers.

### **Governing Law**

This agreement shall be governed by and construed in accordance with the laws of Bermuda.

### **Engagement Team Leaders**

The engagement will be led by:

- Darren Johnston , Antony d’Ombrain, engagement leaders, who will be responsible for assuring the overall quality, value and timeliness of our services to you; and
- Scott Watson-Brown, team manager, who will be responsible for managing the delivery of our services to you.

### **Timing and fees**

Completion of our work is subject to, among other things, 1) appropriate cooperation from Hemisphere Management Limited (“Hemisphere”), including timely preparation of necessary schedules, 2) timely responses to our inquiries, and 3) timely communication of all significant accounting and financial reporting matters. When and if for any reason Hemisphere or the Funds are unable to provide such schedules, information and assistance, PricewaterhouseCoopers and the Funds will mutually revise the fee to reflect additional services, if any, required of us to complete the audit.

(7)

KING\_000009503

KING\_000009497





**Kingate Global Fund, Ltd. – USD Shares**

**Kingate Euro Fund, Ltd.**

**December 14, 2000**

**Reference: DQJ/SWB/cdh ENGAGE LTR-150-1**

In providing our services, we will consult with Hemisphere about matters of accounting, financial reporting or other significant business issues. Accordingly, our fee reflects the time necessary for a reasonable amount of such consultation. However, should a matter require research, consultation or audit work beyond that amount, PricewaterhouseCoopers and the Funds will agree to an appropriate revision in services and fee.

Our fee estimates are based on the time required by the individuals assigned to the engagement. Individual hourly rates vary according to the degree of responsibility involved and experience and skill required. We estimate our fees for this audit engagement will be \$75,000, exclusive of out-of-pocket expenses. In addition, in the event that our relationship is terminated prior to the issuing of our accounts, time incurred will be billed at full rates for the work undertaken to such date. This estimate takes into account the agreed-upon level of preparation and assistance from Hemisphere; we will advise Hemisphere and the Funds' management should this not be provided or should any other circumstances arise which may cause actual time to exceed that estimate. Out-of-pocket expenses will include meals, telephone, facsimile transmission, photocopying, delivery, postage, clerical assistance and computer usage.

Invoices rendered are due and payable upon receipt. Interest may be charged on the balance of any accounts remaining unpaid for more than 30 days at a monthly rate of 1-1/2% (or as set out on the invoice).

#### **Other matters**

Any additional services that you may request and we agree to provide will be the subject of separate written agreements.

In the event we are requested or authorized by you or required by government regulation, subpoena, or other legal process to produce our working papers or our personnel as witnesses with respect to our engagement for you, you will, so long as we are not a party to the proceeding in which the information is sought, reimburse us for our professional time and expenses, as well as the fees and expenses of our counsel, incurred in responding to such a request.

(8)

KING\_000009504

KING\_000009497





**Kingate Global Fund, Ltd. – USD Shares**

**Kingate Euro Fund, Ltd.**

**December 14, 2000**

**Reference: DQJ/SWB/cdh ENGAGE LTR-150-1**

The Funds agree that they will not, directly or indirectly, agree to assign or transfer any claim against PricewaterhouseCoopers arising out of this engagement to anyone.

This engagement letter reflects the entire agreement between us relating to the services covered by this letter. It replaces and supersedes any previous proposals, correspondence and understandings, whether written or oral. The agreements of the Funds and PricewaterhouseCoopers contained in this engagement letter shall survive the completion or termination of this engagement.

\* \* \* \* \*

If the services outlined herein are in accordance with your requirements and if the above terms are acceptable to you, please have one copy of this letter signed in the space provided below and return it to us.

Yours very truly,

A handwritten signature in black ink that reads "PricewaterhouseCoopers" in a cursive style.

Darren Johnston

Partner, Assurance and Business Advisory Service

(9)

KING\_000009505

KING\_000009497





Kingate Global Fund, Ltd. – USD Shares

Kingate Euro Fund, Ltd.

December 14, 2000

Reference: DQJ/SWB/cdh ENGAGE LTR-150-1

\* \* \* \* \*

The services and terms as set forth in this letter are agreed to.

Signed on behalf of the Board of Directors.

Kingate Global Fund, Ltd. – USD Shares  
Kingate Euro Fund, Ltd.

By:   
Director's Signature

CWETHERHILL  
Director's Name (please print)

12/19/2000  
(Date)

cc. Jamie Jared  
Hemisphere Management Limited

(10)

KING\_000009506

KING\_000009497

## **EXHIBIT 3**





**PricewaterhouseCoopers**  
Chartered Accountants  
Dorchester House  
7 Church Street  
Hamilton  
Bermuda HM 11  
Telephone +1 (441) 295 2000  
Facsimile +1 (441) 295 1242

Mr. Christopher Wetherhill  
Hemisphere Management Limited  
Hemisphere House  
9 Church Street  
Hamilton

December 11, 2001

Reference: AJB/SWB/mdc/pat/45109 ENGAGE LTR - 150-1

**Subject: Kingate Global Fund, Ltd.**  
**Kingate Euro Fund, Ltd. (the "Funds")**

Dear Mr. Wetherhill,

The purpose of this letter is to confirm our understanding of the terms of our engagement as auditors of Kingate Global Fund, Ltd. and Kingate Euro Fund, Ltd. (hereinafter referred to as the "Funds").

**Services and related report**

We will audit the Funds' financial statements of assets and liabilities at December 31, 2001, and the related statements of operations and changes in net assets and financial highlights (hereinafter collectively referred to as the "financial statements") for the year then ending. Upon completion of our audit, we will provide you with our audit report on the financial statements referred to above. If, for any reasons caused by you or relating to the affairs of the Funds, we are unable to complete the audit, we may decline to issue reports as a result of these engagements.

MAILING ADDRESS: PO BOX HM 1171, Hamilton, Bermuda HM EX.

A list of partners can be obtained from the above address

KING\_000069289

KING\_000069289



Mr. Christopher Wetherhill

Reference: AJB/SWB/mdc/pat/45109 E L

December 11, 2001

## **Our responsibilities and limitations**

The objective of an audit is the expression of an opinion on the financial statements. We will be responsible for performing the audit in accordance with auditing standards generally accepted in the United States of America. These standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. The audit will include examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements, assessing accounting principles used and significant estimates made by management, and evaluating the overall financial statement presentation in accordance with accounting standards generally accepted in the United States of America.

We will consider the Funds' internal control over financial reporting solely for the purpose of determining the nature, timing and extent of auditing procedures necessary for expressing our opinion on the financial statements. This consideration will not be sufficient to enable us to provide assurance on the effectiveness of internal control over financial reporting. However, any significant deficiencies relating to internal control over financial reporting identified during our audit will be communicated to you.

We will design our audit to obtain reasonable, but not absolute, assurance of detecting errors or fraud that would have a material effect on the financial statements as well as other illegal acts having a direct and material effect on financial statement amounts. Our audit will not include a detailed audit of transactions, such as would be necessary to disclose errors or fraud that did not cause a material misstatement of the financial statements. It is important to recognize that there are inherent limitations in the auditing process. Audits are based on the concept of selective testing of the data underlying the financial statements, which involves judgment regarding the areas to be tested and the nature, timing, extent and results of the tests to be performed. Audits are, therefore, subject to the limitation that material errors or fraud or other illegal acts having a direct and material financial statement impact, if they exist, may not be detected. Because of the characteristics of fraud, particularly those involving concealment through collusion and falsified documentation (including forgery), an audit designed and executed in accordance with generally accepted auditing standards may not detect a material fraud. Further, while effective internal control reduces the likelihood that errors, fraud or other illegal acts will occur and remain undetected, it does not eliminate that possibility. For

(2)



Mr. Christopher Wetherhill

Reference: AJB/SWB/mdc/pat/45109 E L

December 11, 2001

these reasons we cannot ensure that errors, fraud or other illegal acts, if present, will be detected. However, we will communicate to you, as appropriate, any illegal act, material errors, or evidence that fraud may exist identified during our audit.

Our audit is intended for the benefit of the Funds. The audit will not be planned or conducted in contemplation of reliance by any third party or with respect to any specific transaction. Therefore, items of a possible interest to a third party will not be specifically addressed and matters may exist that would be assessed differently by a third party, possibly in connection with a specific transaction.

### **Management's responsibilities**

The financial statements referred to above are the responsibility of the management of the Funds. In this regard, management is responsible for properly recording transactions in the accounting records and for establishing and maintaining internal control sufficient to permit the preparation of financial statements in conformity with generally accepted accounting principles. Management is responsible for adjusting the financial statements to correct material misstatements and for affirming to us in the representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the year ending December 31, 2001 are immaterial, both individually and in the aggregate, to the financial statements taken as a whole. Management also is responsible for identifying and ensuring that the Funds comply with the laws and regulations applicable to their activities.

Management is responsible for making available to us, on a timely basis, all of the Funds' original accounting records and related information and Fund personnel to whom we may direct inquiries. As required by generally accepted auditing standards, we will make specific inquiries of management and others about the representations embodied in the financial statements and the effectiveness of internal control over financial reporting. Generally accepted auditing standards also require that we obtain written representations covering audited financial statements from certain members of management. The results of our audit tests, the responses to our inquiries and the written representations comprise the evidential matter we intend to rely upon in forming our opinions on the financial statements.

(3)



Mr. Christopher Wetherhill

Reference: AJB/SWB/mdc/pat/45109 E L

December 11, 2001

## **Representation from Management**

As noted above, at the conclusion of the engagement, the Funds' management will provide to us representation letters that, among other things, will confirm:

- management's responsibility for the preparation of the financial statements in accordance with generally accepted accounting principles;
- the completeness and accuracy of financial records and related data;
- the completeness and availability of all minutes of the Board and committee meetings;
- to the best of their knowledge and belief, the absence of illegal acts, fraud and other irregularities involving management or those employees who have significant roles in the control structure;
- that the effects of any uncorrected misstatements brought to its attention by us are immaterial, both individually and in the aggregate, to the financial statements taken as a whole;
- the Funds' compliance with their investment restrictions as stated in their most recent offering memorandums; and
- the Funds' reported net assets throughout the year have been properly computed in accordance with their bye-laws.

## **Representation from Investment Advisor**

At the conclusion of the engagements, the Funds' management will provide to us representation letters, that among other things, will confirm:

- To the best of their knowledge and belief, the absence of illegal acts, fraud and other irregularities involving management or those employees who have significant roles in the control structure.

(4)





Mr. Christopher Wetherhill

Reference: AJB/SWB/mdc/pat/45109 E L

December 11, 2001

- The portfolio securities as shown in the financial statements are stated at value as determined in accordance with the valuation method set forth in the most recent offering memorandum.
- The Funds' compliance with their investment objectives, policies and investment restrictions as stated in their most recent offering memorandums.

#### **Other documents**

Generally accepted auditing standards require that we read any annual report that contains our audit report. The purpose of this procedure is to consider whether other information in the annual report, including the manner of its presentation, is materially inconsistent with information appearing in the financial statements. We assume no obligation to perform procedures to corroborate such other information as part of our audit.

If management intends to publish or reproduce, in printed form or electronically (e.g., on an Internet Web Site), the financial statements together with our reports (or otherwise make reference to our firm) in a document that contains other information, management agrees to (a) provide us with a draft of such document to read, and (b) obtain our approval for inclusion of our reports, before the documents are finalized and distributed. Where our audit report is reproduced in any medium, the complete financial statements, including notes, must also be presented.

The Funds may wish to include our reports on these financial statements in a registration statement for a securities offering. You agree that the aforementioned audit report, or reference to our Firm, will not be included in any such offering without our prior permission or consent. Any agreement to perform work in connection with an offering, including an agreement to provide permission or consent, will be a separate engagement.



Mr. Christopher Wetherhill

Reference: AJB/SWB/mdc/pat/45109 E L

December 11, 2001

## **Release and indemnification**

Because of the importance of oral and written representations to an effective audit, the Funds release PricewaterhouseCoopers and its personnel from any and all claims, liabilities, costs and expenses attributable to any knowing misrepresentation by management.

Further, the Funds agree to indemnify and hold harmless PricewaterhouseCoopers and its personnel from any and all claims, liabilities, costs and expenses relating to PricewaterhouseCoopers' services under this engagement letter, except to the extent finally determined to have resulted from the wilful misconduct or fraudulent behaviour of PricewaterhouseCoopers relating to such services.

In no event shall PricewaterhouseCoopers be liable to the Funds, whether a claim be in tort, contract or otherwise:

- (a) for any amount in excess of the total professional fees paid by the Funds under this engagement letter; or
- (b) for any consequential, indirect, lost profit or similar damages relating to PricewaterhouseCoopers' services provided under this engagement letter, except to the extent finally determined to have resulted from the wilful misconduct or fraudulent behaviour of PricewaterhouseCoopers relating to such services.

## **Limitation of Liability**

In any action, claim, loss or damage arising out of the engagement, the client agrees that PricewaterhouseCoopers' liability will be several and not joint and several; and the client may only claim payment from PricewaterhouseCoopers of PricewaterhouseCoopers' proportionate share of the total liability based on degree of fault.

In the unlikely event that differences concerning our services or fees should arise that are not resolved by mutual agreement, to facilitate judicial resolution and save time and expense of both parties, the Funds and PricewaterhouseCoopers agree not to demand a trial by jury in any action, proceeding or counterclaim arising out of or relating to our services and fees for this engagement.

(6)



Mr. Christopher Wetherhill

Reference: AJB/SWB/mdc/pat/45109 E L

December 11, 2001

## **Working Papers**

All working papers and files, other materials, reports and work created, developed or performed by PricewaterhouseCoopers during the course of the audit are the property of PricewaterhouseCoopers.

## **Governing Law**

This agreement shall be governed by and construed in accordance with the laws of Bermuda.

## **Engagement Team Leaders**

The engagement will be led by:

- Andrew Brook, engagement leader, who will be responsible for assuring the overall quality, value and timeliness of our services to you;
- Antony d'Ombraïn, will serve as the concurring partner and will be available in the absence of the engagement partner; and
- Scott Watson-Brown, manager, who will be responsible for managing the delivery of our services to you.

## **Timing and fees**

Completion of our work is subject to, among other things, 1) appropriate cooperation from Hemisphere Management Limited ("Hemisphere"), including timely preparation of necessary schedules, 2) timely responses to our inquiries, and 3) timely communication of all significant accounting and financial reporting matters. When and if for any reason Hemisphere or the Funds are unable to provide such schedules, information and assistance, PricewaterhouseCoopers and the Funds will mutually revise the fee to reflect additional services, if any, required of us to complete the audit.

(7)





Mr. Christopher Wetherhill

Reference: AJB/SWB/mdc/pat/45109 E L

December 11, 2001

In providing our services, we will consult with Hemisphere about matters of accounting, financial reporting or other significant business issues. Accordingly, our fee reflects the time necessary for a reasonable amount of such consultation. However, should a matter require research, consultation or audit work beyond that amount, PricewaterhouseCoopers and the Funds will agree to an appropriate revision in services and fee.

Our fee estimates are based on the time required by the individuals assigned to the engagement. Individual hourly rates vary according to the degree of responsibility involved and experience and skill required. We estimate our fees for this audit engagement will be \$72,400, exclusive of out-of-pocket expenses. In addition, in the event that our relationship is terminated prior to the issuing of our accounts, time incurred will be billed at full rates for the work undertaken to such date. This estimate takes into account the agreed-upon level of preparation and assistance from Hemisphere; we will advise Hemisphere and the Funds' management should this not be provided or should any other circumstances arise which may cause actual time to exceed that estimate. Out-of-pocket expenses will include meals, telephone, facsimile transmission, photocopying, delivery, postage, clerical assistance and computer usage. Our fees and out-of-pocket expenses will be billed to you in advance of the expected settlement dates:

Date	Amount
January 14, 2002	\$54,300
Upon issuance of draft financial statements	Remaining fees and expenses

#### **Other matters**

Any additional services that you may request and we agree to provide will be the subject of separate written agreements.

In the event we are requested or authorized by you or required by government regulation, subpoena, or other legal process to produce our working papers or our personnel as witnesses with respect to our engagement for you, you will, so long as we are not a party to the

(8)

KING\_000069296

KING\_000069289





Mr. Christopher Wetherhill

Reference: AJB/SWB/mdc/pat/45109 E L

December 11, 2001

proceeding in which the information is sought, reimburse us for our professional time and expenses, as well as the fees and expenses of our counsel, incurred in responding to such a request.

The Funds agree that they will not, directly or indirectly, agree to assign or transfer any claim against PricewaterhouseCoopers arising out of this engagement to anyone.

This engagement letter reflects the entire agreement between us relating to the services covered by this letter. It replaces and supersedes any previous proposals, correspondence and understandings, whether written or oral. The agreements of the Funds and PricewaterhouseCoopers contained in this engagement letter shall survive the completion or termination of this engagement.

\* \* \* \* \*

If the services outlined herein are in accordance with your requirements and if the above terms are acceptable to you, please have one copy of this letter signed in the space provided below and return it to us.

Yours very truly,

A handwritten signature in cursive script that reads "Andrew J. Brook".

Andrew J. Brook  
Partner

\* \* \* \* \*

(9)

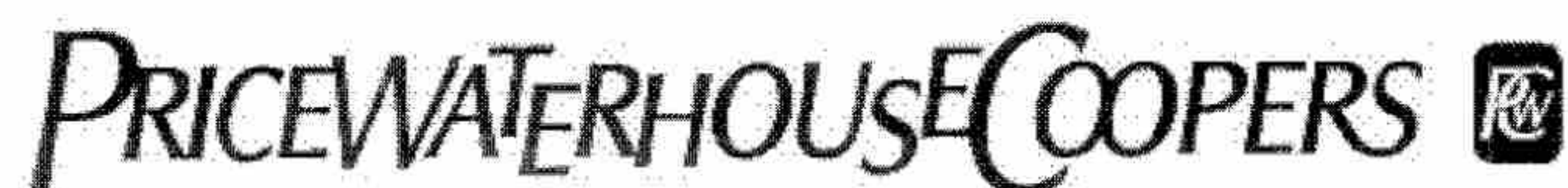
KING\_000069297

KING\_000069289



## **EXHIBIT 4**





PricewaterhouseCoopers  
Chartered Accountants  
Dorchester House  
7 Church Street  
Hamilton  
Bermuda HM 11  
Telephone +1 (441) 295 2000  
Facsimile +1 (441) 295 1242

Mr. Christopher Wetherhill  
Director  
Kingate Management Limited  
99 Front Street  
Hamilton HM 11

November 7, 2002

Reference: AJB/SWB/smh/45109 ENGAGE LTR – 100-1

**Subject: Kingate Global Funds, Ltd.  
Kingate Euro Funds, Ltd. (the “Funds”)**

Dear Mr. Wetherhill,

The purpose of this letter is to confirm our understanding of the terms of our engagement as auditors of Kingate Global Funds, Ltd. and Kingate Euro Funds, Ltd. (hereinafter referred to as the “Funds”).

**Services and related report**

We will audit the Funds’ financial statements at December 31, 2002, and for the year then ending. Upon completion of our audit, we will provide you with our audit report on the financial statements referred to above.

If, for any reasons caused by you or relating to the affairs of the Company, we are unable to complete the audit, we may decline to issue a report as a result of this engagement.

MAILING ADDRESS: PO BOX HM 1171, Hamilton, Bermuda HM EX.

A list of partners can be obtained from the above address

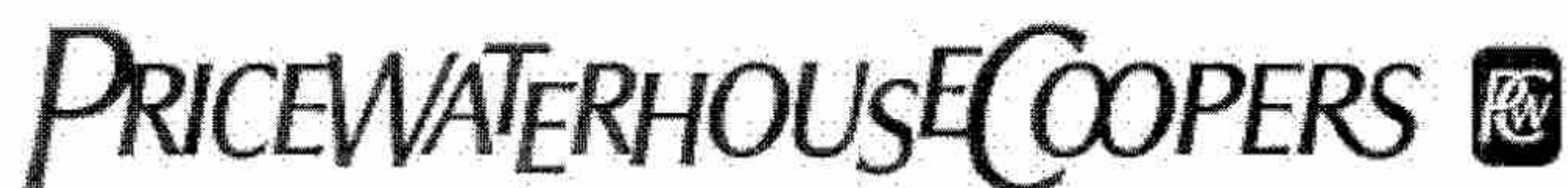
**CONFIDENTIAL**

**PWCB000164**

KING\_000074973

KING\_000074973





## **Our responsibilities and limitations**

The objective of an audit is the expression of an opinion on the financial statements. We will be responsible for performing the audit in accordance with auditing standards generally accepted in the United States of America. These standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. The audit will include examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements, assessing accounting principles used and significant estimates made by management, and evaluating the overall financial statement presentation in accordance with accounting standards generally accepted in the United States of America.

We will consider the Funds internal control over financial reporting solely for the purpose of determining the nature, timing and extent of auditing procedures necessary for expressing our opinion on the financial statements. This consideration will not be sufficient to enable us to provide assurance on the effectiveness of internal control over financial reporting. However, any significant deficiencies relating to internal control over financial reporting identified during our audit will be communicated to you.

We will design our audit to obtain reasonable, but not absolute, assurance of detecting errors or fraud that would have a material effect on the financial statements as well as other illegal acts having a direct and material effect on financial statement amounts. Our audit will not include a detailed audit of transactions, such as would be necessary to disclose errors or fraud that did not cause a material misstatement of the financial statements. It is important to recognize that there are inherent limitations in the auditing process. Audits are based on the concept of selective testing of the data underlying the financial statements, which involves judgment regarding the areas to be tested and the nature, timing, extent and results of the tests to be performed. Audits are, therefore, subject to the limitation that material errors or fraud or other illegal acts having a direct and material financial statement impact, if they exist, may not be detected. Because of the characteristics of fraud, particularly those involving concealment through collusion and falsified documentation (including forgery), an audit designed and executed in accordance with generally accepted auditing standards may not detect a material fraud. Further, while effective internal control reduces the likelihood that errors, fraud or other illegal acts will occur and remain undetected, it does not eliminate that possibility. For

(2)

CONFIDENTIAL

PWCB000165

KING\_000074974

KING\_000074973





these reasons we cannot ensure that errors, fraud or other illegal acts, if present, will be detected. However, we will communicate to you, as appropriate, any illegal act, material errors, or evidence that fraud may exist identified during our audit.

The audit will not be planned or conducted in contemplation of reliance by any third party or with respect to any specific transaction. Therefore, items of a possible interest to a third party will not be specifically addressed and matters may exist that would be assessed differently by a third party, possibly in connection with a specific transaction.

### **Management's responsibilities**

The financial statements referred to above are the responsibility of the management of the Funds. In this regard, management (which includes for purposes of this letter the Funds Administrator, The Transfer Agent, or other Service Agents) is responsible for properly recording transactions in the accounting records and for establishing and maintaining internal control sufficient to permit the preparation of financial statements in conformity with general accepted accounting principles. Management is responsible for adjusting the financial statements to correct material misstatements, if any, and for affirming to us in the representation letter that the effects of any uncorrected misstatements brought to its attention by us are immaterial, both individually and in the aggregate, to the financial statements taken as a whole. Management also is responsible for identifying and ensuring that the Funds complies with the laws and regulations applicable to its activities.

Management is responsible for making available to us, on a timely basis, all of the Funds' original accounting records and related information and personnel to whom we may direct inquiries. As required by generally accepted auditing standards, we will make specific inquiries of management and others about the representations embodied in the financial statements and the effectiveness of internal control over financial reporting. Generally accepted auditing standards also require that we obtain written representations covering audited financial statements from certain members of management. The results of our audit tests, the responses to our inquiries and the written representations comprise the evidential matter we intend to rely upon in forming our opinion on the financial statements.

Management agrees to comply with the Funds' offering memorandum and all other agreements.

(3)

CONFIDENTIAL

PWCB000166

KING\_000074975

KING\_000074973





### **Representation from management**

As noted above, at the conclusion of the engagement, the Funds' management will provide to us a representation letter that, among other things, will confirm:

- management's responsibility for the preparation of the financial statements in accordance with generally accepted accounting principles;
- the completeness and accuracy of financial records and related data;
- the completeness and availability of all minutes of the Board and committee meetings;
- to the best of their knowledge and belief, the absence of illegal acts, fraud and other irregularities involving management or those employees who have significant roles in the control structure; and
- that the effects of any uncorrected misstatements brought to its attention by us are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

### **Other documents**

Generally accepted auditing standards require that we read any annual report that contains our audit report. The purpose of this procedure is to consider whether other information in the annual report, including the manner of its presentation, is materially inconsistent with information appearing in the financial statements. We assume no obligation to perform procedures to corroborate such other information as part of our audit.

If management intends to publish or reproduce, in printed form or electronically (e.g., on an Internet Web Site), the financial statements together with our report (or otherwise make reference to our firm) in a document that contains other information, management agrees to (a) provide us with a draft of such document to read, and (b) obtain our approval for inclusion of

(4)

CONFIDENTIAL

PWCB000167

KING\_000074976

KING\_000074973





our report, before the document is finalized and distributed. Where our audit report is reproduced in any medium, the complete financial statements, including notes, must also be presented.

The Funds may wish to include our report on these financial statements in a registration statement for a securities offering. You agree that the aforementioned audit report, or reference to our Firm, will not be included in any such offering without our prior permission or consent. Any agreement to perform work in connection with an offering, including an agreement to provide permission or consent, will be a separate engagement.

#### **Release and indemnification**

Because of the importance of oral and written representations to an effective audit, the Funds releases and indemnifies PricewaterhouseCoopers and its personnel from any and all claims, liabilities, costs and expenses (including attorneys fees and costs) attributable to any misrepresentation by management. Further, in no event shall PricewaterhouseCoopers be liable to the Funds, whether a claim be in tort, contract or otherwise:

- (a) for any amount in excess of the total professional fees paid by the Funds under this engagement letter; or
- (b) for any consequential, indirect, lost profit or similar damages relating to PricewaterhouseCoopers services provided under this engagement letter,

except to the extent finally determined to have resulted from the wilful misconduct or fraudulent behaviour of PricewaterhouseCoopers relating to such services.

In addition, the Funds agrees to indemnify and hold harmless PricewaterhouseCoopers and its personnel from any and all claims, liabilities, costs and expenses (including attorney fees and costs) relating to PricewaterhouseCoopers' services under this engagement letter, except to the extent finally determined to have resulted from the wilful misconduct or fraudulent behaviour of PricewaterhouseCoopers relating to such services.

(5)

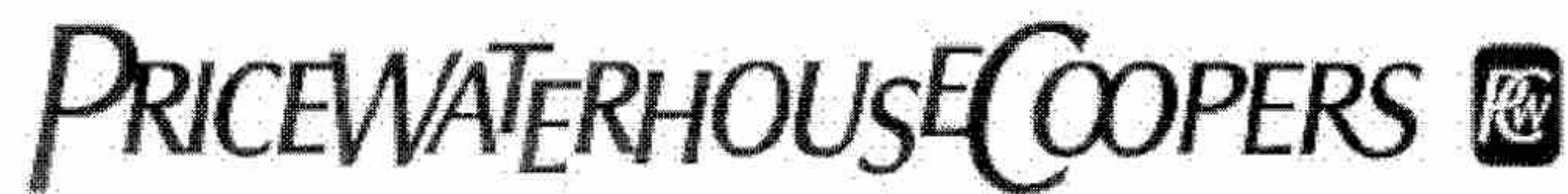
CONFIDENTIAL

PWCB000168

KING\_000074977

KING\_000074973





### **Limitation of liability**

In any action, claim, loss or damage arising out of the engagement, the client agrees that PricewaterhouseCoopers' liability will be several and not joint and several; and the client may only claim payment from PricewaterhouseCoopers of PricewaterhouseCoopers' proportionate share of the total liability based on degree of fault.

In the unlikely event that differences concerning our services or fees should arise that are not resolved by mutual agreement, to facilitate judicial resolution and save time and expense of both parties, the Funds and PricewaterhouseCoopers agree not to demand a trial by jury in any action, proceeding or counterclaim arising out of or relating to our services and fees for this engagement.

### **Working papers**

All working papers and files, other materials, reports and work created, developed or performed by PricewaterhouseCoopers during the course of the audit are the property of PricewaterhouseCoopers.

### **Governing law**

This agreement shall be governed by and construed in accordance with the laws of Bermuda.

### **Engagement team leaders**

The engagement will be led by:

- Andrew Brook, engagement leader, who will be responsible for assuring the overall quality, value and timeliness of our services to you;
- Antony d'Ombraïn, will serve as the concurring partner and will be available in the absence of the engagement partner; and

(6)

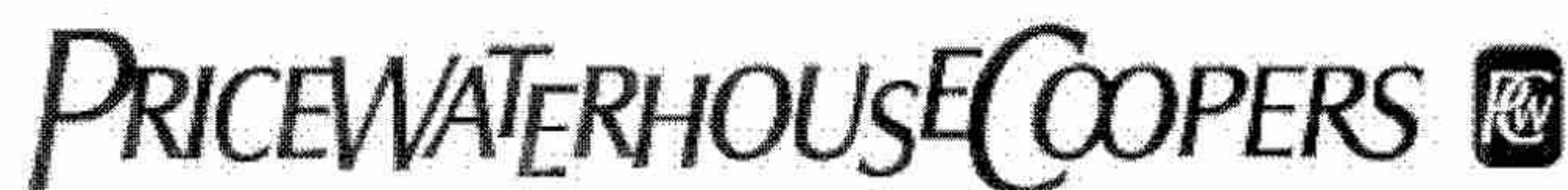
CONFIDENTIAL

PWCB000169

KING\_000074978

KING\_000074973





- Scott Watson-Brown, team manager, who will be responsible for managing the delivery of our services to you.

### **Timing and fees**

Completion of our work is subject to, among other things, 1) appropriate cooperation from the Funds' personnel, including timely preparation of necessary schedules, 2) timely responses to our inquiries, and 3) timely communication of all significant accounting and financial reporting matters. When and if for any reason the Funds is unable to provide such schedules, information and assistance, PricewaterhouseCoopers and the Funds will mutually revise the fee to reflect additional services, if any, required of us to complete the audit.

In providing our services, we will consult with the Company's personnel about matters of accounting, financial reporting or other significant business issues. Accordingly, our fee reflects the time necessary for a reasonable amount of such consultation. However, should a matter require research, consultation or audit work beyond that amount, PricewaterhouseCoopers and the Company will agree to an appropriate revision in services and fee.

Our fee estimates are based on the time required by the individuals assigned to the engagement. Individual hourly rates vary according to the degree of responsibility involved and experience and skill required. We estimate our fees for this audit engagement will be \$74,100, exclusive planned visit to the investment advisor (see separate letter) and of out-of-pocket expenses. This estimate takes into account the agreed-upon level of preparation and assistance from company personnel; we will advise management should this not be provided or should any other circumstances arise which may cause actual time to exceed that estimate.

We also will bill you for reasonable out-of-pocket expenses and our internal charges for certain support activities. Our internal charges include certain flat-rate amounts that reflect an allocation of estimated costs, including those associated with airline ticketing and general office services, such as computer usage, telephone charges, facsimile transmissions, postage and photocopying. We leverage our size to achieve cost savings for our clients in all areas of expense, including those covered by these internal charges and use this system of allocation to minimize total costs.

(7)

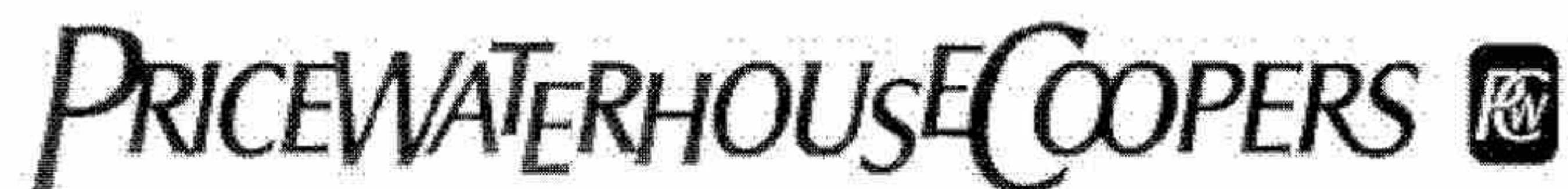
CONFIDENTIAL

PWCB000170

KING\_000074979

KING\_000074973





Our fees and out-of-pocket expenses will be to you in advance of the following expected settlement dates:

Date	Amount
December 8, 2002	\$35,000
January 31, 2003	\$20,000
Upon issuance of draft financial statements	Remaining fees and expenses

Invoices rendered are due and payable upon receipt. Interest may be charged on overdue accounts at a monthly rate of 1-1/2%. This rate may be adjusted depending upon major changes in the prime-lending rate. If the rate is changed, you will be notified in advance.

#### **Other matters**

Any additional services that you may request and we agree to provide will be the subject of separate written agreements.

In the event we are requested or authorized by you or required by government regulation, subpoena, or other legal process to produce our working papers or our personnel as witnesses with respect to our engagement for you, you will, so long as we are not a party to the proceeding in which the information is sought, reimburse us for our professional time and expenses, as well as the fees and expenses of our counsel, incurred in responding to such a request.

The Funds agrees that it will not, directly or indirectly, agree to assign or transfer any claim against PricewaterhouseCoopers arising out of this engagement to anyone.

This engagement letter reflects the entire agreement between us relating to the services covered by this letter. It replaces and supersedes any previous proposals, correspondence and understandings, whether written or oral. The agreements of the Funds and PricewaterhouseCoopers contained in this engagement letter shall survive the completion or termination of this engagement.

(8)

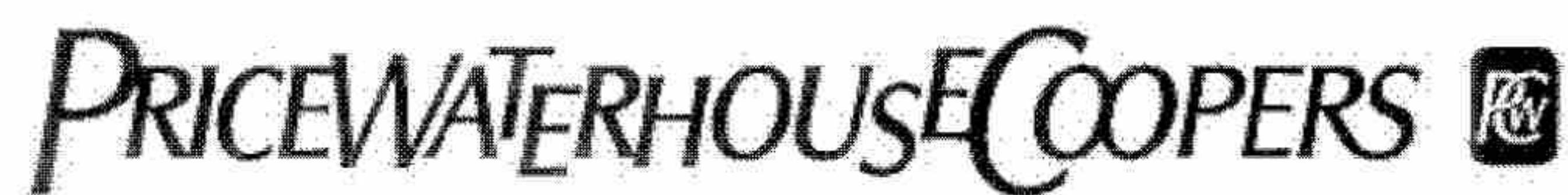
CONFIDENTIAL

PWCB000171

KING\_000074980

KING\_000074973





\* \* \* \* \*

If the services outlined herein are in accordance with your requirements and if the above terms are acceptable to you, please have one copy of this letter signed in the space provided below and return it to us.

Very truly yours,

*Price Waterhouse Coopers*

Andrew J. Brook  
Partner

\* \* \* \* \*

The services and terms as set forth in this letter are agreed to.

Kingate Global Fund, Ltd.  
Kingate Euro Fund, Ltd.

By: *Christopher Wetherhill*  
Christopher Wetherhill

Director

November 11, 2002.  
Date

(9)

CONFIDENTIAL

PWCB000172

KING\_000074981

KING\_000074973



## **EXHIBIT 5**



11/19/2003 WED 13:46 [TX/RX NO 5475]

## KINGATE MANAGEMENT LIMITED

---

99 FRONT STREET  
HAMILTON HM 11, BERMUDA

TELEPHONE: (441) 296 2888  
FAX: (441) 296 6775

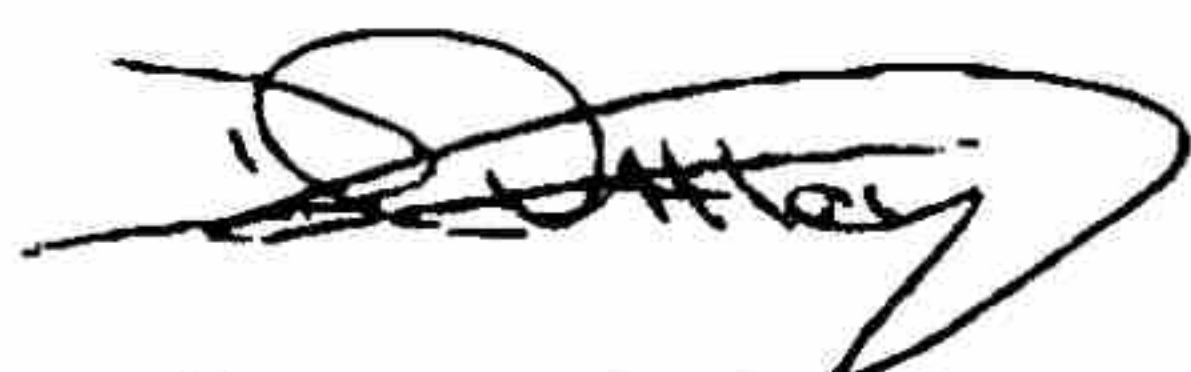
### **FACSIMILE**

**FROM:** Dawné Ottley  
**TO:** Micheal O'Conghaile  
**COMPANY:** BISYS  
**FAX NO:** 296-8227  
**PAGES:** 1 + 11  
**DATE:** November 19, 2003

Dear Micheal,

Please find enclosed the engagement letter for Kingate Global Fund, Ltd. – USD Shares and Kingate Euro Fund, Ltd. for your files.

Kind regards,



Dawné Ottley

P.1/12

TO:441 296 8227

441 296 6775

NOV-19-2003 14:51 FROM:KINGATE

KING\_000263767

KING\_000263767



11/19/2003 WED 13:46 [TX/RX NO 5475]

## KINGATE MANAGEMENT LIMITED

---

99 FRONT STREET  
HAMILTON HM 11, BERMUDA

TELEPHONE: (441) 296 2888  
FAX: (441) 296 6775

19<sup>th</sup> November 2003

Mr Andrew J. Brook  
PricewaterhouseCoopers  
Dorchester House  
7 Church Street  
Hamilton HM11  
Bermuda

Dear Andrew,

Please find enclosed the engagement letter signed by Mr Christopher Wetherhill on behalf of Kingate Global Fund, Ltd. – USD Shares and Kingate Euro Fund, Ltd.

In addition, please note that in the enclosed letter each fund is referred to in plural (i.e. Kingate Global Funds, Ltd. and Kingate Euro Funds, Ltd.), which is incorrect. Please note that the correct name of the Funds are:

Kingate Global Fund, Ltd. – USD Shares  
Kingate Euro Fund, Ltd.

Please amend your records accordingly.

Yours sincerely,



Shazieh Salahuddin  
General Manager

P.2/12

10:44:1 296 8227

441 296 6775

NOV-19-2003 14:51 FROM:KINGATE

KING\_000263768

KING\_000263767



11/19/2003 WED 13:46 [TX/RX NO 5475]



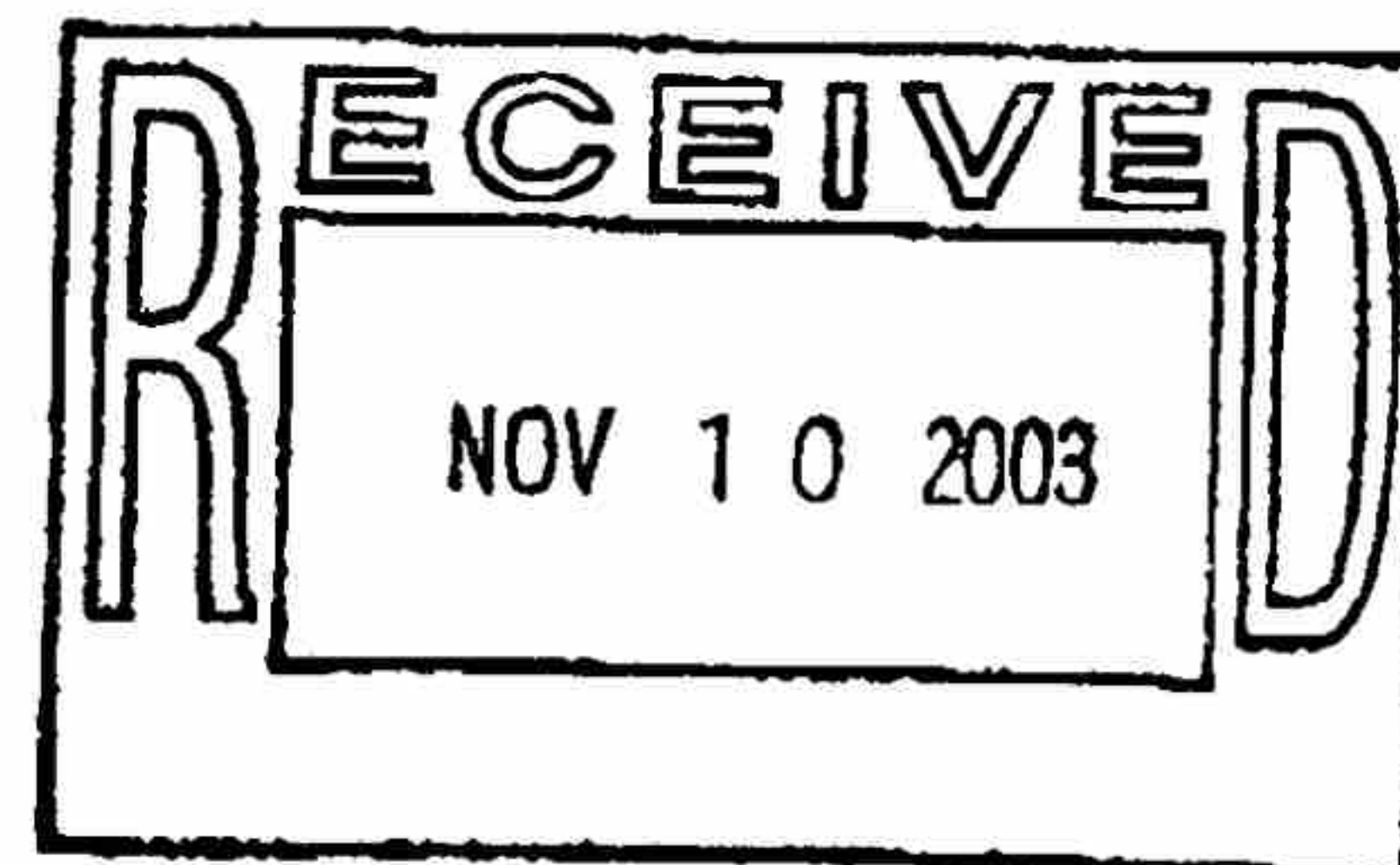
**PricewaterhouseCoopers**  
Chartered Accountants  
Dorchester House  
7 Church Street  
Hamilton  
Bermuda HM 11  
Telephone +1 (441) 295 2000  
Facsimile +1 (441) 295 1242

Mr. Christopher Wetherhill  
Director  
Kingate Management Limited  
99 Front Street  
Hamilton HM 11

October 23, 2003

Reference: AJB/SWB/rvl/pat/45109 ENGAGE LTR – 100-1

**Subject: Kingate Global Funds, Ltd.**  
**Kingate Euro Funds, Ltd. (the "Funds")**



Dear Mr. Wetherhill.

The purpose of this letter is to confirm our understanding of the terms of our engagement as auditors of Kingate Global Funds, Ltd. and Kingate Euro Funds, Ltd. (hereinafter referred to collectively as the "Funds").

#### **Services and related report**

We will audit the Funds' financial statements as at December 31, 2003 and for the year then ending. Upon completion of our audits, we will provide the Funds with our audit reports on the financial statements referred to above.

If, for any reasons caused by the Funds or relating to the affairs or management of the Funds, we are unable to complete the audit, we may decline to issue a report as a result of this engagement.

MAILING ADDRESS: PO BOX 11M 1171, Hamilton, Bermuda 11M EX

A list of partners can be obtained from the above address

P.3/12

TO: 441 296 8227

441 296 6775

NOV-19-2003 14:51 FROM: KINGATE

KING\_000263769

KING\_000263767



[TX/RX NO 5475] 11/19/2003 WED 13:46



Mr. Christopher Wetherhill

Reference: AJB/SWB/rvl/paz/45109 EL

October 24, 2003

**Our responsibilities and limitations**

The objective of an audit is the expression of an opinion on the financial statements. We will be responsible for performing the audits in accordance with auditing standards generally accepted in the United States of America. These standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. The audits will include examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements, assessing accounting principles used and significant estimates made by management, and evaluating the overall financial statement presentation in accordance with accounting standards generally accepted in the United States of America.

We will consider the Funds' internal control over financial reporting solely for the purpose of determining the nature, timing and extent of auditing procedures necessary for expressing our opinion on the financial statements. This consideration will not be sufficient to enable us to provide assurance on the effectiveness of internal control over financial reporting. However, any significant deficiencies relating to internal control over financial reporting identified during our audit will be communicated to the management of the Funds.

We will design our audits to obtain reasonable, but not absolute, assurance of detecting errors or fraud that would have a material effect on the financial statements as well as other illegal acts having a direct and material effect on financial statement amounts. Our audits will not include a detailed audit of transactions, such as would be necessary to disclose errors or fraud that did not cause a material misstatement of the financial statements. It is important to recognize that there are inherent limitations in the auditing process. Audits are based on the concept of selective testing of the data underlying the financial statements, which involves judgment regarding the areas to be tested and the nature, timing, extent and results of the tests to be performed. Audits are, therefore, subject to the limitation that material errors or fraud or other illegal acts having a direct and material financial statement impact, if they exist, may not be detected. Because of the characteristics of fraud, particularly those involving concealment through collusion, falsified documentation and management's ability to override controls, an audit designed and executed in accordance with generally accepted auditing standards may not

(2)

P.4/12

TO:441 296 8227

441 296 6775

NOV-19-2003 14:51 FROM:KINGATE

KING\_000263770

KING\_000263767



11/19/2003 WED 13:46 [TX/RX NO 5475]



Mr. Christopher Wetherhill

Reference: AJB/SWB/rvl/pat/45109 EL

October 24, 2003

detect a material fraud. Further, while effective internal control reduces the likelihood that errors, fraud or other illegal acts will occur and remain undetected, it does not eliminate that possibility. For these reasons we cannot ensure that errors, fraud or other illegal acts, if present, will be detected. However, we will communicate to the management of the Funds, as appropriate, any illegal act, material errors or evidence that fraud may exist identified during our audit.

The audits will not be planned or conducted in contemplation of reliance by any third party or with respect to any specific transaction. Therefore, items of possible interest to a third party will not be specifically addressed and matters may exist that would be assessed differently by a third party, possibly in connection with a specific transaction.

#### **Management's responsibilities**

The Funds' management is responsible for the financial statements and information referred to above. In this regard, management (which includes for purposes of this letter the Funds Administrator, The Transfer Agent, or other Service Agents) is responsible for properly recording transactions in the accounting records and for establishing and maintaining internal control sufficient to permit the preparation of financial statements in conformity with generally accepted accounting principles. Management also is responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us (i) about all known or suspected fraud affecting the entity involving (a) management, (b) employees who have significant roles in internal control, and (c) others where the fraud could have a material effect on the financial statements; and (ii) of its knowledge of any allegations of fraud or suspected fraud affecting the entity received in communications from employees, former employees, analysts, regulators, short sellers, or others. Management is responsible for adjusting the financial statements to correct material misstatements and for affirming to us in the representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the year ending December 31, 2003 are immaterial, both individually and in the aggregate, to the financial statements taken as a whole. Management also is responsible for identifying and ensuring that the Funds comply with the laws and regulations applicable to its activities.

(3)

P.5/12

10:44:29 8227

441 296 6775

NOV-19-2003 14:51 FROM:KINGATE

KING\_000263771

KING\_000263767



11/19/2003 WED 13:46 [TX/RX NO 5475]



Mr. Christopher Wetherhill

Reference: AIB/SWB/rvl/pa/45109 EL

October 24, 2003

Management is responsible for making available to us, on a timely basis, all of the Funds' original accounting records and related information and personnel to whom we may direct inquiries. As required by generally accepted auditing standards, we will make specific inquiries of management and others about the representations embodied in the financial statements and the effectiveness of internal control over financial reporting. Generally accepted auditing standards also require that we obtain written representations covering audited financial statements from certain members of management. The results of our audit tests, the responses to our inquiries and the written representations comprise the evidential matter we intend to rely upon in forming our opinion on the financial statements.

Management agrees to comply with the Funds' offering memorandum and all other agreements.

#### **Representation from management**

As noted above, at the conclusion of the engagement, the Funds' management will provide to us a representation letter that, among other things, will confirm:

- management's responsibility for the preparation of the financial statements in accordance with generally accepted accounting principles and for the implementation and operation of internal controls that are designed to prevent and detect fraud and error;
- the completeness and accuracy of financial records and related data;
- the completeness and availability of all minutes of the Board and committee meetings;
- that the effects of any uncorrected misstatements brought to its attention by us during our audit are immaterial, both individually and in the aggregate, to the financial statements taken as a whole;
- the results of management's assessment of the risk that the financial statements may be materially misstated as a result of fraud; and

(4)

P.6/12

TO:441 296 8227

441 296 6775

NOV-19-2003 14:51 FROM:KINGATE

KING\_000263772

KING\_000263767



11/19/2003 WED 13:46 [TX/RX NO 5475]



Mr. Christopher Wetherhill

Reference: AIB/SWB/rvl/pat/45109 EL

October 24, 2003

- all significant facts relating to any frauds or suspected frauds known to management that may have affected the Funds.

#### **Other documents**

Generally accepted auditing standards require that we read any annual report that contains our audit reports. The purpose of this procedure is to consider whether other information in the annual report, including the manner of its presentation, is materially inconsistent with information appearing in the financial statements. We assume no obligation to perform procedures to corroborate such other information as part of our audits.

If management intends to publish or reproduce, in printed form or electronically (e.g., on an Internet Web Site), the financial statements together with our report (or otherwise make reference to PricewaterhouseCoopers) in a document that contains other information, management agrees to (a) provide us with a draft of such document to read, and (b) obtain our approval for inclusion of our report, before the document is finalized and distributed. Where our audit report is reproduced in any medium, the complete financial statements, including notes, must also be presented.

The Funds may wish to include our reports on these financial statements in a registration statement for a securities offering. The Funds agree that the aforementioned audit reports, or reference to PricewaterhouseCoopers, will not be included in any such offering without our prior permission or consent. Any agreement to perform work in connection with an offering, including an agreement to provide permission or consent, will be a separate engagement.

#### **Release and indemnification**

Because of the importance of oral and written representations to an effective audit, the Funds release and indemnify PricewaterhouseCoopers and its personnel from any and all claims, liabilities, costs and expenses (including attorneys fees and costs) attributable to any misrepresentation by management. Further, in no event shall PricewaterhouseCoopers be liable to the Funds, whether a claim be in tort, contract or otherwise:

(5)

P. 7/12

TO: 441 296 8227

441 296 6775

NOV-19-2003 14:52 FROM: KINGATE

KING\_000263773

KING\_000263767



11/19/2003 WED 13:46 [TX/RX NO 5475]



Mr. Christopher Wetherhill

Reference: AJB/SWB/rvl/pul/45109 EL.

October 24, 2003

- (a) for any amount in excess of the total professional fees paid by the Funds under this engagement letter; or
- (b) for any consequential, indirect, lost profit or similar damages relating to PricewaterhouseCoopers services provided under this engagement letter,

except to the extent finally determined to have resulted from the wilful misconduct or fraudulent behaviour of PricewaterhouseCoopers relating to such services.

In addition, the Funds agrees to indemnify and hold harmless PricewaterhouseCoopers and its personnel from any and all third party claims, liabilities, costs and expenses (including attorney fees and costs) relating to PricewaterhouseCoopers' services under this engagement letter, except to the extent finally determined to have resulted from the wilful misconduct or fraudulent behaviour of PricewaterhouseCoopers relating to such services.

#### **Limitation of liability**

In any action, claim, loss or damage arising out of the engagement, the Funds agree that PricewaterhouseCoopers' liability will be several and not joint and several; and the Funds may only claim payment from PricewaterhouseCoopers of PricewaterhouseCoopers' proportionate share of the total liability based on degree of fault.

In the unlikely event that differences concerning our services or fees should arise that are not resolved by mutual agreement, to facilitate judicial resolution and save time and expense of both parties, the Funds and PricewaterhouseCoopers agree not to demand a trial by jury in any action, proceeding or counterclaim arising out of or relating to our services and fees for this engagement.

#### **Working papers**

All working papers and files, other materials, reports and work created, developed or performed by PricewaterhouseCoopers during the course of the audit are the property of PricewaterhouseCoopers.

(6)

P.8/12

TO:441 296 8227

441 296 6775

NOV-19-2003 14:52 FROM:KINGATE

KING\_000263774

KING\_000263767



11/19/2003 WED 13:46 [TX/RX NO 5475]



Mr. Christopher Wetherhill

Reference: AJB/SWB/rvl/pat/45109 EL

October 24, 2003

### **Governing law**

This agreement shall be governed by and construed in accordance with the laws of Bermuda.

### **Engagement team leaders**

The engagement will be led by:

- Andrew Brook, engagement leader, who will be responsible for assuring the overall quality, value and timeliness of our services to the Funds;
- Ian Davidson, will serve as the concurring partner and will be available in the absence of the engagement partner; and
- Scott Watson-Brown, team manager, who will be responsible for managing the delivery of our services to the Funds.

### **Timing and fees**

Completion of our work is subject to, among other things, 1) appropriate cooperation from the Funds' personnel, including timely preparation of necessary schedules, 2) timely responses to our inquiries, and 3) timely communication of all significant accounting and financial reporting matters. When and if for any reason the Funds are unable to provide such schedules, information and assistance, PricewaterhouseCoopers and the Funds will mutually revise the fee to reflect additional services, if any, required of us to complete the audit.

In providing our services, we will consult with the Funds' personnel about matters of accounting, financial reporting or other significant business issues. Accordingly, our fee reflects the time necessary for a reasonable amount of such consultation. However, should a matter require research, consultation or audit work beyond that amount, PricewaterhouseCoopers and the Funds will agree to an appropriate revision in services and fee.

(7)

P.9/12

TO:441 296 8227

441 296 6775

NOV-19-2003 14:52 FROM:KINGATE

KING\_000263775

KING\_000263767



11/19/2003 WED 13:46 [TX/RX NO 5475]



Mr. Christopher Wetherhill

Reference: AJB/SWB/rvl/pal/45109 EL

October 24, 2003

Our fee estimates are based on the time required by the individuals assigned to the engagement. Individual hourly rates vary according to the degree of responsibility involved and experience and skill required. We estimate our fees for these audit engagements will be \$80,000, exclusive of out-of-pocket expenses. This estimate takes into account the agreed-upon level of preparation and assistance from Funds personnel; we will advise management should this not be provided or should any other circumstances arise which may cause actual time to exceed that estimate.

We also will bill the Funds for reasonable out-of-pocket expenses and our internal charges for certain support activities. Our internal charges include certain flat-rate amounts that reflect an allocation of estimated costs, including those associated with airline ticketing and general office services, such as computer usage, telephone charges, facsimile transmissions, postage and photocopying. We leverage our size to achieve cost savings for our clients in all areas of expense, including those covered by these internal charges and use this system of allocation to minimize total costs.

Our fees and out-of-pocket expenses will be billed to the Funds in advance of the following expected settlement dates:

Date	Amount
November 15, 2003	32,000
January 30, 2004	32,000
February 27, 2004	Balance plus disbursements

#### Other matters

Any additional services that the Funds may request and we agree to provide will be the subject of separate written agreements.

In the event we are requested or authorized by the Funds or required by government regulation, subpoena, or other legal process to produce our working papers or our personnel as witnesses with respect to our engagement for the Funds, the Funds will, so long as we are not

(8)

P.10/12

TO:441 296 8227

441 296 6775

NOV-19-2003 14:52 FROM:KINGATE

KING\_000263776

KING\_000263767



11/19/2003 WED 13:46 [TX/RX NO 5475]



Mr. Christopher Wetherhill

Reference: AJB/SWB/rvl/pal/45109 EL.

October 24, 2003

a party to the proceeding in which the information is sought, reimburse us for our professional time and expenses, as well as the fees and expenses of our counsel, incurred in responding to such a request.

The Funds agree they it will not, directly or indirectly, agree to assign or transfer any claim against PricewaterhouseCoopers arising out of this engagement to anyone.

This engagement letter reflects the entire agreement between us relating to the services covered by this letter. It replaces and supersedes any previous proposals, correspondence and understandings, whether written or oral. The agreements contained in this engagement letter shall survive the completion or termination of this engagement.

If the services outlined herein are in accordance with the Funds' requirements and if the above terms are acceptable to the Funds, please have one copy of this letter signed in the space provided below and return it to us.

Very truly yours,

A handwritten signature in black ink, appearing to read "PricewaterhouseCoopers" in a cursive, stylized script.

Andrew J. Brook

Partner

\* \* \* \* \*

(9)

P.11/12

TO:441 296 8227

441 296 6775

NOV-19-2003 14:52 FROM:KINGATE

KING\_000263777

KING\_000263767




11/19/2003 WED 13:46 [TX/RX NO 5475]



Mr. Christopher Wetherhill  
Reference: AJB/SWB/rvl/pat/45109 EL  
October 24, 2003

The services and terms, as set forth in this letter, are agreed to.

**Kingate Global Funds, Ltd.**  
**Kingate Euro Funds, Ltd.**

By:   
\_\_\_\_\_  
Christopher Wetherhill  
Director

12/11/03  
\_\_\_\_\_  
Date

(10)

P.12/12

TO:441 296 8227

441 296 6775

NOV-19-2003 14:52 FROM:KINGATE

KING\_000263778

KING\_000263767



## **EXHIBIT 6**





PricewaterhouseCoopers  
Chartered Accountants  
Dorchester House  
7 Church Street  
Hamilton  
Bermuda HM 11  
Telephone +1 (441) 295 2000  
Facsimile +1 (441) 295 1242

Mr. Christopher Wetherhill  
Director  
Kingate Management Limited  
99 Front Street  
Hamilton HM 11

November 03, 2004

Reference: AJB/MDC/pat/45109 ENGAGE LTR – 150-1

**Subject: Kingate Global Fund, Ltd.  
Kingate Euro Fund, Ltd.**

Dear Sir,

The purpose of this letter is to confirm our understanding of the terms of our engagement as auditors of Kingate Global Fund, Ltd. and Kingate Euro Fund, Ltd. (hereinafter referred to collectively as the "Funds").

**Services and related report**

We will audit the financial statements of the Funds' at December 31, 2004 and for the year then ending. Upon completion of our audits, we will provide the Funds with our audit reports on the financial statements referred to above.

If, for any reasons caused by the Funds or relating to the affairs or management of the Funds, we are unable to complete the audits, we may decline to issue our reports as a result of this engagement.

MAILING ADDRESS: PO BOX HM 1171, Hamilton, Bermuda HM EX.

A list of partners can be obtained from the above address

A handwritten signature in black ink, appearing to be 'Lew' or similar, written over a horizontal line.

KING\_000023090

KING\_000023090





Mr. Christopher Wetherhill  
Reference: AJB/MDC/pat/45109 EL  
November 03, 2004

### **Our responsibilities and limitations**

The objective of an audit is the expression of an opinion on the financial statements. We will be responsible for performing the audit in accordance with auditing standards generally accepted in The United States of America. These standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. The audit will include examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements, assessing accounting principles used and significant estimates made by management, and evaluating the overall financial statement presentation in accordance with accounting standards generally accepted in The United States of America.

We will consider the Funds' internal control over financial reporting solely for the purpose of determining the nature, timing and extent of auditing procedures necessary for expressing our opinion on the financial statements. This consideration will not be sufficient to enable us to provide assurance on the effectiveness of internal control over financial reporting. However, any significant deficiencies relating to internal control over financial reporting identified during our audits will be communicated the management of the Funds.

We will design our audit to obtain reasonable, but not absolute, assurance of detecting errors or fraud that would have a material effect on the financial statements as well as other illegal acts having a direct and material effect on financial statement amounts. Our audits will not include a detailed audit of transactions, such as would be necessary to disclose errors or fraud that did not cause a material misstatement of the financial statements. It is important to recognize that there are inherent limitations in the auditing process. Audits are based on the concept of selective testing of the data underlying the financial statements, which involves judgment regarding the areas to be tested, and the nature, timing, extent and results of the tests to be performed. Audits are, therefore, subject to the limitation that material errors or fraud or other illegal acts having a direct and material financial statement impact, if they exist, may not be detected. Because of the characteristics of fraud, particularly those involving concealment through collusion, falsified documentation and management's ability to override controls, an audit designed and executed in accordance with generally accepted auditing standards may not detect a material fraud.

(2)

A handwritten signature in black ink, appearing to be 'Lew' or similar, written in a cursive, stylized font.

KING\_000023091

KING\_000023090





Mr. Christopher Wetherhill  
Reference: AJB/MDC/pat/45109 EL  
November 03, 2004

Further, while effective internal control reduces the likelihood that errors, fraud or other illegal acts will occur and remain undetected, it does not eliminate that possibility. For these reasons we cannot ensure that errors, fraud or other illegal acts, if present, will be detected. However, we will communicate to the management of the Funds, as appropriate, any illegal act, material errors or evidence that fraud may exist identified during our audit. We will also inform the Board of Directors of those uncorrected misstatements aggregated by us during the audits that were determined by management to be immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

The audit will not be planned or conducted in contemplation of reliance by any third party or with respect to any specific transaction. Therefore, items of possible interest to a third party will not be specifically addressed and matters may exist that would be assessed differently by a third party, possibly in connection with a specific transaction.

#### **Management's responsibilities**

The Funds' management is responsible for the financial statements and information referred to above. In this regard, management (which includes for purposes of this letter the Funds' Administrator, The Transfer Agent, or other Service Agents) is responsible for properly recording transactions in the accounting records and for establishing and maintaining internal control sufficient to permit the preparation of financial statements in conformity with generally accepted accounting principles. Management also is responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us (i) about all known or suspected fraud affecting the fund involving (a) management, (b) employees who have significant roles in internal control, and (c) others where the fraud could have a material effect on the financial statements; and (ii) of its knowledge of any allegations of fraud or suspected fraud affecting the fund received in communications from employees, former employees, analysts, regulators, short sellers, or others. Management is responsible for adjusting the financial statements to correct material misstatements and for affirming to us in the representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the year ending December 31, 2004 are immaterial, both individually and in the aggregate, to the financial statements taken as a whole. Management also is responsible for identifying and ensuring that the Funds comply with the laws and regulations applicable to its activities.

(3)

A handwritten signature in black ink, appearing to be 'LW', is located in the lower right quadrant of the page.

KING\_000023092

KING\_000023090





Mr. Christopher Wetherhill  
Reference: AJB/MDC/pat/45109 EL  
November 03, 2004

Management is responsible for making available to us, on a timely basis, all of the Funds' original accounting records and related information and personnel to whom we may direct inquiries. As required by generally accepted auditing standards, we will make specific inquiries of management and others about the representations embodied in the financial statements and the effectiveness of internal control over financial reporting. Generally accepted auditing standards also require that we obtain written representations covering audited financial statements from certain members of management. The results of our audit tests, the responses to our inquiries and the written representations comprise the evidential matter we intend to rely upon in forming our opinion on the financial statements.

Management agrees to comply with the Funds' offering memorandum and all other agreements.

#### **Representation from management**

As noted above, at the conclusion of the engagement, the Funds' management will provide to us a representation letter that, among other things, will confirm:

- management's responsibility for the preparation of the financial statements in accordance with generally accepted accounting principles and for the implementation and operation of internal controls that are designed to prevent and detect fraud and error;
- the completeness and accuracy of financial records and related data;
- the completeness and availability of all minutes of the Board and committee meetings;
- that the effects of any uncorrected misstatements brought to its attention by us during our audit are immaterial, both individually and in the aggregate, to the financial statements taken as a whole;
- the results of management's assessment of the risk that the financial statements may be materially misstated as a result of fraud; and
- all significant facts relating to any frauds or suspected frauds known to management that may have affected the Funds.

(4)

A handwritten signature in black ink, appearing to be 'Jew' or similar, written in a cursive style.

KING\_000023093

KING\_000023090





Mr. Christopher Wetherhill  
Reference: AJB/MDC/pat/45109 EL  
November 03, 2004

### **Internet Communications**

During the engagement we may from time to time communicate with you electronically. However, as you are aware, the electronic transmission of information cannot be guaranteed to be secure or error free and such information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete or otherwise be adversely affected or unsafe to use. We shall not have any liability to you arising from or in connection with the electronic communication of information to you during or as a result of its electronic transmission outside of PricewaterhouseCoopers' electronic environment. If the communication relates to a matter of significance and there are concerns about possible effects of electronic transmission a hard copy of such transmission should be requested from us.

### **Other documents**

Generally accepted auditing standards require that we read any annual report that contains our audit reports. The purpose of this procedure is to consider whether other information in the annual report, including the manner of its presentation, is materially inconsistent with information appearing in the financial statements. We assume no obligation to perform procedures to corroborate such other information as part of our audits.

If management intends to publish or reproduce, in printed form or electronically (e.g., on an Internet Web Site), the financial statements together with our report (or otherwise make reference to PricewaterhouseCoopers) in a document that contains other information, management agrees to (a) provide us with a draft of such document to read, and (b) obtain our approval for inclusion of our report, before the document is finalized and distributed. Where our audit report is reproduced in any medium, the complete financial statements, including notes, must also be presented.

The Funds may wish to include our report on these financial statements in a registration statement for a securities offering. The Funds agree that the aforementioned audit reports, or reference to PricewaterhouseCoopers, will not be included in any such offering without our prior permission or consent. Any agreement to perform work in connection with an offering, including an agreement to provide permission or consent, will be a separate engagement.

(5)

A handwritten signature in dark ink, appearing to be 'Lew' or similar, written in a cursive, flowing style.

KING\_000023094

KING\_000023090





Mr. Christopher Wetherhill  
Reference: AJB/MDC/pat/45109 EL  
November 03, 2004

### **Release and indemnification**

Because of the importance of oral and written representations to an effective audit, the Funds releases and indemnify PricewaterhouseCoopers and its personnel from any and all claims, liabilities, costs and expenses (including attorneys fees and costs) attributable to any misrepresentation by management. Further, in no event shall PricewaterhouseCoopers be liable to the Funds, whether a claim be in tort, contract or otherwise:

- (a) for any amount in excess of the total professional fees paid by the Funds under this engagement letter; or
- (b) for any consequential, indirect, lost profit or similar damages relating to PricewaterhouseCoopers services provided under this engagement letter,

except to the extent finally determined to have resulted from the wilful misconduct or fraudulent behaviour of PricewaterhouseCoopers relating to such services.

In addition, the Funds agrees to indemnify and hold harmless PricewaterhouseCoopers and its personnel from any and all third party claims, liabilities, costs and expenses (including attorney fees and costs) relating to PricewaterhouseCoopers' services under this engagement letter, except to the extent finally determined to have resulted from the wilful misconduct or fraudulent behaviour of PricewaterhouseCoopers relating to such services.

### **Limitation of liability**

In any action, claim, loss or damage arising out of the engagement, the Funds agree that PricewaterhouseCoopers' liability will be several and not joint and several; and the Funds may only claim payment from PricewaterhouseCoopers of PricewaterhouseCoopers' proportionate share of the total liability based on degree of fault. In the unlikely event that differences concerning our services or fees should arise that are not resolved by mutual agreement, to facilitate judicial resolution and save time and expense of both parties, the Funds and PricewaterhouseCoopers agree not to demand a trial by jury in any action, proceeding or counterclaim arising out of or relating to our services and fees for this engagement.

(6)

A handwritten signature in black ink, appearing to be 'Law'.

KING\_000023095

KING\_000023090





Mr. Christopher Wetherhill  
Reference: AJB/MDC/pat/45109 EL  
November 03, 2004

### **Working papers**

All working papers and files, other materials, reports and work created, developed or performed by PricewaterhouseCoopers during the course of the audit are the property of PricewaterhouseCoopers.

### **Governing law**

This agreement shall be governed by and construed in accordance with the laws of Bermuda.

### **Engagement team leaders**

The engagement will be led by:

- Andrew Brook, engagement leader, who will be responsible for assuring the overall quality, value and timeliness of our services to the Funds;
- Ian Davidson, will serve as the concurring partner and will be available in the absence of the engagement partner; and
- Scott Watson-Brown, team manager, who will be responsible for managing the delivery of our services to the Funds.

### **Timing and fees**

Completion of our work is subject to, among other things, 1) appropriate cooperation from the Fund's personnel, including timely preparation of necessary schedules, 2) timely responses to our inquiries, and 3) timely communication of all significant accounting and financial reporting matters. When and if for any reason the Funds is unable to provide such schedules, information and assistance, PricewaterhouseCoopers and the Funds will mutually revise the fee to reflect additional services, if any, required of us to complete the audit.

In providing our services, we will consult with the Funds' personnel about matters of accounting, financial reporting or other significant business issues. Accordingly, our fee reflects the time necessary for a reasonable amount of such consultation. However, should a

(7)

A handwritten signature in black ink, appearing to be 'C.W.' or similar, written in a cursive, stylized manner.

KING\_000023096

KING\_000023090





Mr. Christopher Wetherhill

Reference: AJB/MDC/pat/45109 EL

November 03, 2004

matter require research, consultation or audit work beyond that amount, PricewaterhouseCoopers and the Funds will agree to an appropriate revision in services and fee.

We may use temporary contract staff to perform certain tasks on your engagement and will bill for that time at the rate that corresponds to PwC staff providing a similar level of service. Upon request, we will be happy to provide details on the training, supervision and billing arrangements we use in connection with these professionals.

Our fee estimates are based on the time required by the individuals assigned to the engagement. Individual hourly rates vary according to the degree of responsibility involved and experience and skill required. We estimate our fees for this audit engagement will be \$84,800 exclusive of out-of-pocket expenses and fees associated with our visit to the Investment Advisor to the Funds. This estimate takes into account the agreed-upon level of preparation and assistance from Fund personnel; we will advise management should this not be provided or should any other circumstances arise which may cause actual time to exceed that estimate.

We also will bill the Funds for reasonable out-of-pocket expenses and our internal charges for certain support activities. Our internal charges include certain flat-rate amounts that reflect an allocation of estimated costs, including those associated with airline ticketing and general office services, such as computer usage, telephone charges, facsimile transmissions, postage and photocopying. We leverage our size to achieve cost savings for our clients in all areas of expense, including those covered by these internal charges and use this system of allocation to minimize total costs.

Our fees and out-of-pocket expenses will be billed to the Funds in advance of the following expected settlement dates:

Date	Amount
November 15, 2004	\$60,000
February 4, 2005	Balance plus disbursements

(8)

KING\_000023097

KING\_000023090





Mr. Christopher Wetherhill  
Reference: AJB/MDC/pat/45109 EL  
November 03, 2004

**Other matters**

Any additional services that the Funds may request and we agree to provide will be the subject of separate written agreements.

In the event we are requested or authorized by the Funds or required by government regulation, subpoena, or other legal process to produce our working papers or our personnel as witnesses with respect to our engagement for the Funds, the Funds will, so long as we are not a party to the proceeding in which the information is sought, reimburse us for our professional time and expenses, as well as the fees and expenses of our counsel, incurred in responding to such a request.

The Funds agree that they will not, directly or indirectly, agree to assign or transfer any claim against PricewaterhouseCoopers arising out of this engagement to anyone.

This engagement letter reflects the entire agreement between us relating to the services covered by this letter. It replaces and supersedes any previous proposals, correspondence and understandings, whether written or oral. The agreements contained in this engagement letter shall survive the completion or termination of this engagement.

If the services outlined herein are in accordance with the Funds' requirements and if the above terms are acceptable to the Funds, please have one copy of this letter signed in the space provided below and return it to us.

Very truly yours,

A handwritten signature in cursive script that reads "PricewaterhouseCoopers".

---

Andrew J. Brook  
Partner

A handwritten signature in cursive script, likely belonging to Christopher Wetherhill.

(9)

KING\_000023098

KING\_000023090






Mr. Christopher Wetherhill  
Reference: AJB/MDC/pat/45109 EL  
November 03, 2004

\* \* \* \* \*

The services and terms, as set forth in this letter, are agreed to.

**Kingate Global Fund, Ltd.**  
**Kingate Euro Fund, Ltd.**

By:   
Christopher Wetherhill  
Director  
23/11/04  
Date

(10)

KING\_000023099

KING\_000023090



## **EXHIBIT 7**





PricewaterhouseCoopers  
Dorchester House  
7 Church Street  
Hamilton  
Bermuda HM 11  
Telephone +1 (441) 295 2000  
Facsimile +1 (441) 295 1242

Mr. Christopher Wetherhill  
Director  
Kingate Management Limited  
99 Front Street  
Hamilton HM 11

September 29, 2005

Reference: AJB/SWB/pat/163931 ENGAGE LTR – 150-1

Dear Sir,

The purpose of this letter is to confirm our understanding of the terms of our engagement as auditors of Kingate Global Fund, Ltd. and Kingate Euro Fund, Ltd. (hereinafter referred to collectively as the "Funds").

#### **Services and related report**

We will audit the financial statements of the Funds at December 31, 2005 and for the year then ending. Upon completion of our audits, we will provide the Funds with our audit report on the financial statements referred to above.

If, for any reasons caused by the Funds or relating to the affairs or management of the Funds, we are unable to complete the audits, we may decline to issue a report as a result of this engagement.

#### **Our responsibilities and limitations**

The objective of an audit is the expression of an opinion on the financial statements. We will be responsible for performing the audit in accordance with auditing standards generally

MAILING ADDRESS: PO BOX HM 1171, Hamilton, Bermuda HM EX.

A list of partners can be obtained from the above address

KING\_000031624

KING\_000031624





Mr. Christopher Wetherhill  
Reference: AJB/SWB/pat/163931 EL  
September 29, 2005

accepted in the United States of America. These standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. The audits will include examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements, assessing accounting principles used and significant estimates made by management, and evaluating the overall financial statement presentation in accordance with accounting standards generally accepted in the United States of America.

We will consider the Funds' internal control over financial reporting solely for the purpose of determining the nature, timing and extent of auditing procedures necessary for expressing our opinion on the financial statements. This consideration will not be sufficient to enable us to provide assurance on the effectiveness of internal control over financial reporting. However, any significant deficiencies and material weaknesses and other deficiencies (i.e., those deficiencies in internal control over financial reporting that are of a lesser magnitude) relating to internal control over financial reporting identified during our audits will be communicated to the Funds.

We will design our audits to obtain reasonable, but not absolute, assurance of detecting errors or fraud that would have a material effect on the financial statements as well as other illegal acts having a direct and material effect on financial statement amounts. Our audits will not include a detailed audit of transactions, such as would be necessary to disclose errors or fraud that did not cause a material misstatement of the financial statements. It is important to recognize that there are inherent limitations in the auditing process. Audits are based on the concept of selective testing of the data underlying the financial statements, which involves judgment regarding the areas to be tested, and the nature, timing, extent and results of the tests to be performed. Audits are, therefore, subject to the limitation that material errors or fraud or other illegal acts having a direct and material financial statement impact, if they exist, may not be detected. However, we will communicate to the Funds, as appropriate, any such matters identified during our audits.

Because of the characteristics of fraud, particularly those involving concealment through collusion, falsified documentation and management's ability to override controls, an audit designed and executed in accordance with generally accepted auditing standards may not detect a material fraud. Further, while effective internal control reduces the likelihood that errors, fraud or other illegal acts will occur and remain undetected, it does not eliminate that

(2)

KING\_000031625

KING\_000031624





Mr. Christopher Wetherhill  
Reference: AJB/SWB/pat/163931 EL  
September 29, 2005

possibility. For these reasons we cannot ensure that errors, fraud or other illegal acts, if present, will be detected.

The audits will not be planned or conducted in contemplation of reliance by any third party or with respect to any specific transaction. Therefore, items of a possible interest to a third party will not be specifically addressed and matters may exist that would be assessed differently by a third party, possibly in connection with a specific transaction.

### **Management's responsibilities**

The Funds' management is responsible for the financial statements and information referred to above. In this regard, management (which includes for purposes of this letter the Funds Administrator, the Transfer Agent, or other Service Agents) is responsible for establishing policies and procedures that pertain to the maintenance of accounting records, the authorization of receipts and disbursements, the safeguarding of assets, properly recording transactions in the accounting records and for establishing and maintaining internal control sufficient to permit the preparation of financial statements in conformity with generally accepted accounting principles. Management also is responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us (i) about all known or suspected fraud affecting the Funds involving (a) management, (b) employees who have significant roles in internal control over financial reporting, and (c) others where the fraud could have a material effect on the financial statements; and (ii) of its knowledge of any allegations of fraud or suspected fraud affecting the Funds received in communications from employees, former employees, analysts, regulators, short sellers, or others. Management is responsible for (i) adjusting the financial statements to correct material misstatements and for affirming to us in the representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the year ending December 31, 2005 are immaterial, both individually and in the aggregate, to the financial statements taken as a whole; and (ii) notifying us of all material weaknesses, including other significant deficiencies, in the design or operation of the Funds' internal control over financial reporting that are reasonably likely to adversely affect the Funds' ability to record, process, summarize and report external financial data reliably in accordance with generally accepted accounting principles. Management also is responsible for identifying and ensuring that the Funds comply with the laws and regulations applicable to their activities.

(3)

KING\_000031626

KING\_000031624





Mr. Christopher Wetherhill  
Reference: AJB/SWB/pat/163931 EL  
September 29, 2005

As part of management's responsibility for the financial statements and the effectiveness of its systems of internal control over financial reporting, management is responsible for making available to us, on a timely basis, all of the Funds' original accounting records and related information and Fund personnel to whom we may direct inquiries. As required by generally accepted auditing standards, we will make specific inquiries of management and others about the representations embodied in the financial statements and the effectiveness of internal control over financial reporting. Generally accepted auditing standards also require that we obtain written representations covering audited financial statements from certain members of management. The results of our audit tests, the responses to our inquiries and the written representations comprise the evidential matter we intend to rely upon in forming our opinion on the financial statements.

#### **Representation from management**

As noted above, at the conclusion of the engagement, the Funds' management will provide to us a representation letter that, among other things, will confirm:

- management's responsibility for the preparation of the financial statements in accordance with generally accepted accounting principles and for the implementation and operation of internal controls that are designed to prevent and detect fraud and error;
- the completeness and accuracy of financial records and related data;
- the completeness and availability of all minutes of the Board and committee meetings;
- that the effects of any uncorrected misstatements brought to its attention by us during our audit are immaterial, both individually and in the aggregate, to the financial statements taken as a whole;
- that management have notified us of all material weaknesses, including other significant deficiencies, in the design or operation of the Funds' internal control over financial reporting that are reasonably likely to adversely affect the Funds' ability to record, process, summarize and report external financial data reliably in accordance with generally accepted accounting principles;

(4)

KING\_000031627

KING\_000031624





Mr. Christopher Wetherhill  
Reference: AJB/SWB/pat/163931 EL  
September 29, 2005

- that management have identified and ensured that the Funds have complied with the laws and regulations applicable to their activities;
- that management have made available to us all of the Funds' original accounting records and related information;
- the results of management's assessment of the risk that the financial statements may be materially misstated as a result of fraud; and
- all significant facts relating to any frauds or suspected frauds known to management that may have affected the Funds.

#### **Internet Communications**

During the engagement we may from time to time communicate with you electronically. However, as you are aware, the electronic transmission of information cannot be guaranteed to be secure or error free and such information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete or otherwise be adversely affected or unsafe to use. We shall not have any liability to you arising from or in connection with the electronic communication of information to you during or as a result of its electronic transmission outside of PricewaterhouseCoopers' electronic environment. If the communication relates to a matter of significance and there are concerns about possible effects of electronic transmission a hard copy of such transmission should be requested from us.

#### **Other documents**

Generally accepted auditing standards require that we read any annual report that contains our audit report. The purpose of this procedure is to consider whether other information in the annual report, including the manner of its presentation, is materially inconsistent with information appearing in the financial statements. We assume no obligation to perform procedures to corroborate such other information as part of our audits.

If management intends to publish or reproduce, in printed form or electronically (e.g., on an Internet Web Site), the financial statements together with our report (or otherwise make reference to PricewaterhouseCoopers) in a document that contains other information, management agrees to (a) provide us with a draft of such document to read, and (b) obtain our

(5)

KING\_000031628

KING\_000031624





Mr. Christopher Wetherhill  
Reference: AJB/SWB/pat/163931 EL  
September 29, 2005

approval for inclusion of our report, before the document is finalized and distributed. Where our audit report is reproduced in any medium, the complete financial statements, including notes, must also be presented.

The Funds may wish to include our report on these financial statements in a registration statement for a securities offering. The Funds agree that the aforementioned audit reports, or reference to PricewaterhouseCoopers, will not be included in any such offering without our prior permission or consent. Any agreement to perform work in connection with an offering, including an agreement to provide permission or consent, will be a separate engagement.

#### **Release and indemnification**

Because of the importance of oral and written representations to an effective audit, the Funds release PricewaterhouseCoopers and its personnel from any and all claims, liabilities, costs and expenses (including attorneys fees and costs) attributable to any knowing misrepresentation by management. Further, in no event shall PricewaterhouseCoopers be liable to the Funds, whether a claim be in tort, contract or otherwise:

- (a) for any amount in excess of the total professional fees paid by the Funds under this engagement letter; or
- (b) for any consequential, indirect, lost profit or similar damages relating to PricewaterhouseCoopers' services provided under this engagement letter,

except to the extent finally determined to have resulted from the wilful misconduct or fraudulent behaviour of PricewaterhouseCoopers relating to such services.

In addition, the Funds agree to indemnify and hold harmless PricewaterhouseCoopers and its personnel from any and all claims, liabilities, costs and expenses (including attorneys fees and costs) relating to PricewaterhouseCoopers' services under this engagement letter, except to the extent finally determined to have resulted from the wilful misconduct or fraudulent behaviour of PricewaterhouseCoopers relating to such services.

(6)

KING\_000031629

KING\_000031624





Mr. Christopher Wetherhill  
Reference: AJB/SWB/pat/163931 EL  
September 29, 2005

### **Limitation of liability**

In any action, claim, loss or damage arising out of the engagement, the Funds agree that PricewaterhouseCoopers' liability will be several and not joint and several; and the Funds may only claim payment from PricewaterhouseCoopers of PricewaterhouseCoopers' proportionate share of the total liability based on degree of fault.

In the unlikely event that differences concerning our services or fees should arise that are not resolved by mutual agreement, to facilitate judicial resolution and save time and expense of both parties, the Funds and PricewaterhouseCoopers agree not to demand a trial by jury in any action, proceeding or counterclaim arising out of or relating to our services and fees for this engagement.

### **Working papers**

All working papers and files, other materials, reports and work created, developed or performed by PricewaterhouseCoopers during the course of the audits are the property of PricewaterhouseCoopers.

### **Governing law**

This agreement shall be governed by and construed in accordance with the laws of Bermuda and shall be deemed in all respects to be a Bermuda contract. The parties hereby agree to the jurisdiction of the courts of Bermuda with respect to all matters arising under or by virtue of this agreement. If any of the provisions of this agreement are determined to be invalid or unenforceable, the remaining provisions shall remain in effect and be binding on the parties to the fullest extent permitted by law.

### **Engagement team leaders**

The engagement will be led by:

- Andrew Brook, engagement leader, who will be responsible for assuring the overall quality, value and timeliness of our services to the Funds;
- Scott Watson-Brown, team manager, who will be responsible for managing the delivery of our services to the Funds.

(7)

KING\_000031630

KING\_000031624





Mr. Christopher Wetherhill  
Reference: AJB/SWB/pat/163931 EL  
September 29, 2005

### Timing and fees

Completion of our work is subject to, among other things, 1) appropriate cooperation from the Funds' personnel, including timely preparation of necessary schedules, 2) timely responses to our inquiries, and 3) timely communication of all significant accounting and financial reporting matters. When and if for any reason the Funds are unable to provide such schedules, information and assistance, PricewaterhouseCoopers and the Funds will mutually revise the fee to reflect additional services, if any, required of us to complete the audits.

We may use temporary contract staff to perform certain tasks on your engagement and will bill for that time at the rate that corresponds to PricewaterhouseCoopers staff providing a similar level of service. Upon request, we will be happy to provide details on the training, supervision and billing arrangements we use in connection with these professionals.

Our fee estimates are based on the time required by the individuals assigned to the engagement. Individual hourly rates vary according to the degree of responsibility involved and experience and skill required. We estimate our fees for this audit engagement will be \$88,000, exclusive of out-of-pocket expenses. This estimate takes into account the agreed-upon level of preparation and assistance from Fund personnel; we will advise management should this not be provided or should any other circumstances arise which may cause actual time to exceed that estimate.

We also will bill the Funds for reasonable out-of-pocket expenses and our internal charges for certain support activities. Our internal charges include certain flat-rate amounts that reflect an allocation of estimated costs, including those associated with general office services, such as computer usage, telephone charges, facsimile transmissions, postage and photocopying. We leverage our size to achieve cost savings for our clients in all areas of expense, including those covered by these internal charges and use this system of allocation to minimize total costs. Our fees and out-of-pocket expenses will be billed to the Funds in advance of the following expected settlement dates:

Date	Amount
October 30, 2005	70%
February 28, 2006	The Balance, plus disbursements

(8)

KING\_000031631

KING\_000031624





Mr. Christopher Wetherhill  
Reference: AJB/SWB/pat/163931 EL  
September 29, 2005

### Other matters

Any additional services that the Funds may request and we agree to provide will be the subject of separate written agreements.

In the event we are requested or authorized by the Funds or required by government regulation, subpoena, or other legal process to produce our working papers or our personnel as witnesses with respect to our engagement for the Funds, the Funds will, so long as we are not a party to the proceeding in which the information is sought, reimburse us for our professional time and expenses, as well as the fees and expenses of our counsel, incurred in responding to such a request.

The Funds agree that they will not, directly or indirectly, agree to assign or transfer any claim against PricewaterhouseCoopers arising out of this engagement to anyone.

This engagement letter reflects the entire agreement between us relating to the services covered by this letter. It replaces and supersedes any previous proposals, correspondence and understandings, whether written or oral. The agreements contained in this engagement letter shall survive the completion or termination of this engagement.

If the services outlined herein are in accordance with the Funds' requirements and if the above terms are acceptable to the Funds, please have one copy of this letter signed in the space provided below and return it to us.

Very truly yours,

  
Andrew J. Brook  
Partner

\* \* \* \*

(9)

KING\_000031632

KING\_000031624





Mr. Christopher Wetherhill  
Reference: AJB/SWB/pat/163931 EL  
September 29, 2005

The services and terms, as set forth in this letter are agreed to.

**Kingate Global Fund, Ltd.**  
**Kingate Euro Fund, Ltd.**

By: \_\_\_\_\_  
Christopher Wetherhill  
Director

\_\_\_\_\_  
Date

(10)

KING\_000031633

KING\_000031624





Mr. Christopher Wetherhill  
Reference: AJB/SWB/pat/163931 EL  
September 29, 2005

The services and terms, as set forth in this letter are agreed to.

**Kingate Global Fund, Ltd.**  
**Kingate Euro Fund, Ltd.**

By:   
\_\_\_\_\_  
Christopher Wetherhill  
Director

  
\_\_\_\_\_  
Date

(10)

KING\_000031634

KING\_000031624



## **EXHIBIT 8**





**PricewaterhouseCoopers**  
Chartered Accountants  
Dorchester House  
7 Church Street  
Hamilton HM 11  
Bermuda  
Telephone +1 (441) 295 2000  
Facsimile +1 (441) 295 1242  
[www.pwc.com/bermuda](http://www.pwc.com/bermuda)

Mr. Christopher Wetherhill  
Director  
Kingate Management Limited  
99 Front Street  
Hamilton HM 11

November 30, 2006

Reference: : AJB/GRM/swt/163931 ENGAGE LTR – 100-1

**Subject: Kingate Global Fund, Ltd and Kingate Euro Fund, Ltd**

Dear Mr. Wetherhill,

The purpose of this letter is to confirm our understanding of the terms of our engagement as auditors of Kingate Global Fund, Ltd, and Kingate Euro Fund, Ltd. (hereinafter referred to as the "Funds").

#### **Services and related report**

We will audit the financial statements of the Funds at December 31, 2006 and for the year then ending. Upon completion of our audit, we will provide the Funds with our audit report on the financial statements referred to above.

If, for any reasons caused by the Funds or relating to the affairs or management of the Funds, we are unable to complete the audit, we may decline to issue a report as a result of this engagement.

#### **Our responsibilities and limitations**

The objective of an audit is the expression of an opinion on the financial statements. We will be responsible for performing the audit in accordance with auditing standards generally accepted in United States of America. These standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. The audit will include examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements, assessing accounting principles used and significant estimates made by management, and evaluating the overall financial statement presentation in accordance with accounting standards generally accepted in United States of America.

We will consider the Funds' internal controls over financial reporting solely for the purpose of determining the nature, timing and extent of auditing procedures necessary for expressing our opinion on the financial statements. This consideration will not be sufficient to enable us to provide assurance on the effectiveness of internal control over financial reporting. However, any reportable conditions and material weaknesses and other deficiencies (i.e., those deficiencies in internal control over

A list of partners can be obtained from the above address  
PricewaterhouseCoopers refers to the members of the worldwide PricewaterhouseCoopers organisation

KING\_000057857

KING\_000057857





Mr. Christopher Wetherhill  
Reference: AJB/GRM/swt/163931 ENGAGE LTR – 100-1  
Date: November 30, 2006

financial reporting that are of a lesser magnitude) relating to internal control over financial reporting identified during our audit will be communicated to the Fund.

We will design our audit to obtain reasonable, but not absolute, assurance of detecting errors or fraud that would have a material effect on the financial statements as well as other illegal acts having a direct and material effect on financial statement amounts. Our audit will not include a detailed audit of transactions, such as would be necessary to disclose errors or fraud that did not cause a material misstatement of the financial statements. It is important to recognize that there are inherent limitations in the auditing process. Audits are based on the concept of selective testing of the data underlying the financial statements, which involves judgment regarding the areas to be tested, and the nature, timing, extent and results of the tests to be performed. Audits are, therefore, subject to the limitation that material errors or fraud or other illegal acts having a direct and material financial statement impact, if they exist, may not be detected. However, we will communicate to the Fund, as appropriate, any such matters identified during our audit.

Because of the characteristics of fraud, particularly those involving concealment through collusion, falsified documentation and management's ability to override controls, an audit designed and executed in accordance with generally accepted auditing standards may not detect a material fraud. Further, while effective internal control reduces the likelihood that errors, fraud or other illegal acts will occur and remain undetected, it does not eliminate that possibility. For these reasons we cannot ensure that errors, fraud or other illegal acts, if present, will be detected.

The audit will not be planned or conducted in contemplation of reliance by any third party or with respect to any specific transaction. Therefore, items of a possible interest to a third party will not be specifically addressed and matters may exist that would be assessed differently by a third party, possibly in connection with a specific transaction.

#### **Management's responsibilities**

The Funds' management are responsible for the financial statements and information referred to above. In this regard, management (which includes for purposes of this letter the Fund Administrator, the Transfer Agent, or other Service Agents) is responsible for establishing policies and procedures that pertain to the maintenance of accounting records, the authorization of receipts and disbursements, the safeguarding of assets, properly recording transactions in the accounting records and for establishing and maintaining internal control sufficient to permit the preparation of financial statements in conformity with generally accepted accounting principles. Management also is responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us (i) about all known or suspected fraud affecting the Funds involving (a) management, (b) employees who have significant roles in internal control over financial reporting, and (c) others where the fraud could have a material effect on the financial statements; and (ii) of its knowledge of any allegations of fraud or suspected fraud affecting the Funds received in communications from employees, former employees, analysts, regulators, short sellers, or others. Management is responsible for (i) adjusting the financial statements to correct material misstatements and for affirming to us in the representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the year ending December 31, 2006 are immaterial, both individually and in the aggregate, to the financial statements taken as a whole; and (ii) notifying us of all material weaknesses, including other significant deficiencies, in the design or operation of the Funds' internal

(2)

KING\_000057858

KING\_000057857





Mr. Christopher Wetherhill  
Reference: AJB/GRM/swt/163931 ENGAGE LTR – 100-1  
Date: November 30, 2006

controls over financial reporting that are reasonably likely to adversely affect the Funds' ability to record, process, summarize and report external financial data reliably in accordance with generally accepted accounting principles. Management also is responsible for identifying and ensuring that the Funds comply with the laws and regulations applicable to their activities.

As part of management's responsibility for the financial statements and the effectiveness of its systems of internal control over financial reporting, management is responsible for making available to us, on a timely basis, all of the Funds' original accounting records and related information and Fund personnel to whom we may direct inquiries. As required by generally accepted auditing standards, we will make specific inquiries of management and others about the representations embodied in the financial statements and the effectiveness of internal control over financial reporting. Generally accepted auditing standards also require that we obtain written representations covering audited financial statements from certain members of management. The results of our audit tests, the responses to our inquiries and the written representations comprise the evidential matter we intend to rely upon in forming our opinion on the financial statements.

#### **Representation from management**

As noted above, at the conclusion of the engagement, the Funds' management will provide to us a representation letter that, among other things, will confirm:

- management's responsibility for the preparation of the financial statements in accordance with generally accepted accounting principles and for the implementation and operation of internal controls that are designed to prevent and detect fraud and error;
- the completeness and accuracy of financial records and related data;
- the completeness and availability of all minutes of the Board and committee meetings;
- that the effects of any uncorrected misstatements brought to its attention by us during our audit are immaterial, both individually and in the aggregate, to the financial statements taken as a whole;
- that management have notified us of all reportable conditions and material weaknesses, in the design or operation of the Funds' internal controls over financial reporting that are reasonably likely to adversely affect the Funds' abilities to record, process, summarize and report external financial data reliably in accordance with generally accepted accounting principles;
- that management have identified and ensured that the Funds have complied with the laws and regulations applicable to its activities;
- that management have made available to us all of the Funds' original accounting records and related information;
- the results of management's assessment of the risk that the financial statements may be materially misstated as a result of fraud; and





Mr. Christopher Wetherhill  
Reference: AJB/GRM/swt/163931 ENGAGE LTR – 100-1  
Date: November 30, 2006

- all significant facts relating to any frauds or suspected frauds known to management that may have affected the Funds.

#### **Internet Communications**

During the engagement we may from time to time communicate with you electronically. However, as you are aware, the electronic transmission of information cannot be guaranteed to be secure or error free and such information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete or otherwise be adversely affected or unsafe to use. We shall not have any liability to you arising from or in connection with the electronic communication of information to you during or as a result of its electronic transmission outside of PricewaterhouseCoopers' electronic environment. If the communication relates to a matter of significance and there are concerns about possible effects of electronic transmission a hard copy of such transmission should be requested from us.

#### **Other documents**

Generally accepted auditing standards require that we read any annual report that contains our audit report. The purpose of this procedure is to consider whether other information in the annual report, including the manner of its presentation, is materially inconsistent with information appearing in the financial statements. We assume no obligation to perform procedures to corroborate such other information as part of our audit.

If management intends to publish or reproduce, in printed form or electronically (e.g., on an Internet Web Site), the financial statements together with our report (or otherwise make reference to PricewaterhouseCoopers) in a document that contains other information, management agrees to (a) provide us with a draft of such document to read, and (b) obtain our approval for inclusion of our report, before the document is finalized and distributed. Where our audit report is reproduced in any medium, the complete financial statements, including notes, must also be presented.

The Funds may wish to include our report on these financial statements in a registration statement for a securities offering. The Funds agree that the aforementioned audit report, or reference to PricewaterhouseCoopers, will not be included in any such offering without our prior permission or consent. Any agreement to perform work in connection with an offering, including an agreement to provide permission or consent, will be a separate engagement.

#### **Release and indemnification**

Because of the importance of oral and written representations to an effective audit, the Funds release PricewaterhouseCoopers and its personnel from any and all claims, liabilities, costs and expenses (including attorneys fees and costs) attributable to any knowing misrepresentation by management. Further, in no event shall PricewaterhouseCoopers be liable to the Funds, whether a claim be in tort, contract or otherwise:

- for any amount in excess of the total professional fees paid by the Funds under this engagement letter; or





Mr. Christopher Wetherhill  
Reference: AJB/GRM/swt/163931 ENGAGE LTR – 100-1  
Date: November 30, 2006

- for any consequential, indirect, lost profit or similar damages relating to PricewaterhouseCoopers' services provided under this engagement letter, except to the extent finally determined to have resulted from the wilful misconduct or fraudulent behavior of PricewaterhouseCoopers relating to such services.

In addition, the Funds agree to indemnify and hold harmless PricewaterhouseCoopers and its personnel from any and all claims, liabilities, costs and expenses (including attorneys fees and costs) relating to PricewaterhouseCoopers' services under this engagement letter, except to the extent finally determined to have resulted from the wilful misconduct or fraudulent behavior of PricewaterhouseCoopers relating to such services.

#### **Limitation of liability**

In any action, claim, loss or damage arising out of the engagement, the Funds agree that PricewaterhouseCoopers' liability will be several and not joint and several; and the Fund may only claim payment from PricewaterhouseCoopers of PricewaterhouseCoopers' proportionate share of the total liability based on degree of fault.

In the unlikely event that differences concerning our services or fees should arise that are not resolved by mutual agreement, to facilitate judicial resolution and save time and expense of both parties, the Funds and PricewaterhouseCoopers agree not to demand a trial by jury in any action, proceeding or counterclaim arising out of or relating to our services and fees for this engagement.

#### **Working papers**

All working papers and files, other materials, reports and work created, developed or performed by PricewaterhouseCoopers during the course of the audit are the property of PricewaterhouseCoopers.

#### **Governing law**

This agreement shall be governed by and construed in accordance with the laws of Bermuda and shall be deemed in all respects to be a Bermuda contract. The parties hereby agree to the jurisdiction of the courts of Bermuda with respect to all matters arising under or by virtue of this agreement. If any of the provisions of this agreement are determined to be invalid or unenforceable, the remaining provisions shall remain in effect and be binding on the parties to the fullest extent permitted by law.

#### **Engagement team leaders**

The engagement will be led by:

Andrew Brook, engagement leader, who will be responsible for assuring the overall quality, value and timeliness of our services to the Funds;

Ian Davidson, will serve as the concurring partner and will be available in the absence of the engagement leader; and





Mr. Christopher Wetherhill  
Reference: AJB/GRM/swt/163931 ENGAGE LTR – 100-1  
Date: November 30, 2006

Graham MacDonald, team manager, who will be responsible for managing the delivery of our services to the Funds.

#### Timing and fees

Completion of our work is subject to, among other things, 1) appropriate cooperation from the Funds' personnel, including timely preparation of necessary schedules, 2) timely responses to our inquiries, and 3) timely communication of all significant accounting and financial reporting matters. When and if for any reason the Funds are unable to provide such schedules, information and assistance, PricewaterhouseCoopers and the Funds will mutually revise the fee to reflect additional services, if any, required of us to complete the audit.

We may use temporary contract staff to perform certain tasks on your engagement and will bill for that time at the rate that corresponds to PricewaterhouseCoopers staff providing a similar level of service. Upon request, we will be happy to provide details on the training, supervision and billing arrangements we use in connection with these professionals.

Our fee estimates are based on the time required by the individuals assigned to the engagement. Individual hourly rates vary according to the degree of responsibility involved and experience and skill required. We estimate our fees for this audit engagement will be \$94,200, exclusive of out-of-pocket expenses. This estimate takes into account the agreed-upon level of preparation and assistance from Fund personnel; we will advise management should this not be provided or should any other circumstances arise which may cause actual time to exceed that estimate.

We also will bill the Funds for reasonable out-of-pocket expenses and our internal charges for certain support activities. Our internal charges include certain flat-rate amounts that reflect an allocation of estimated costs, including those associated with general office services, such as computer usage, telephone charges, facsimile transmissions, postage and photocopying. We leverage our size to achieve cost savings for our clients in all areas of expense, including those covered by these internal charges and use this system of allocation to minimize total costs.

Our fees and out-of-pocket expenses will be billed to the Funds in advance of the following expected settlement dates:

Date	Amount
November 22, 2006	\$65,490
February 28, 2007	The Balance, plus disbursements

Interest may be charged on overdue accounts at a monthly rate of 1-1/2%. This rate may be adjusted depending upon major changes in the prime-lending rate. If the rate is changed, the Fund will be notified in advance.





Mr. Christopher Wetherhill  
Reference: AJB/GRM/swt/163931 ENGAGE LTR – 100-1  
Date: November 30, 2006

#### Other matters

Any additional services that the Funds may request and we agree to provide will be the subject of separate written agreements.

In the event we are requested or authorized by the Funds or required by government regulation, subpoena, or other legal process to produce our working papers or our personnel as witnesses with respect to our engagement for the Funds, the Funds will, so long as we are not a party to the proceeding in which the information is sought, reimburse us for our professional time and expenses, as well as the fees and expenses of our counsel, incurred in responding to such a request.

The Funds agree that it will not, directly or indirectly, agree to assign or transfer any claim against PricewaterhouseCoopers arising out of this engagement to anyone.

This engagement letter reflects the entire agreement between us relating to the services covered by this letter. It replaces and supersedes any previous proposals, correspondence and understandings, whether written or oral. The agreements contained in this engagement letter shall survive the completion or termination of this engagement.

If the services outlined herein are in accordance with the Funds' requirements and if the above terms are acceptable to the Funds, please have one copy of this letter signed in the space provided below and return it to us.


Very truly yours,


  
Andrew J. Brook  
Partner

\* \* \* \*

The services and terms, as set forth in this letter are agreed to.

**Kingate Global Fund, Ltd.**  
**Kingate Euro Fund, Ltd.**

By:   
Christopher Wetherhill  
Director

Date signed 14/12/06  


(7)

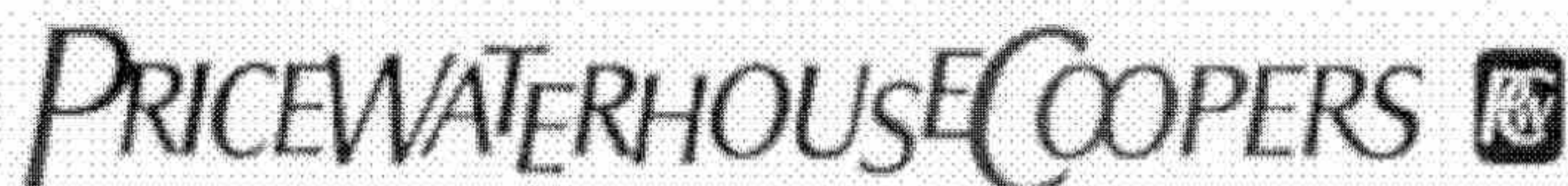
KING\_000057863

KING\_000057857



## **EXHIBIT 9**





PricewaterhouseCoopers  
Chartered Accountants  
Dorchester House  
7 Church Street  
Hamilton HM 11  
Bermuda  
Telephone +1 (441) 295 2000  
Facsimile +1 (441) 295 1242  
[www.pwc.com/bermuda](http://www.pwc.com/bermuda)

Mr. Christopher Wetherhill  
Director  
Kingate Management Ltd.  
99 Front Street  
Hamilton HM 11

November 6, 2007

Reference: AJB/SWB/spi/pat/163931 ENGAGE LTR – 150-1

Dear Mr. Wetherhill,

The purpose of this letter is to confirm our understanding of the terms of our engagement as auditors of Kingate Global Fund Ltd. and Kingate Euro Fund, Ltd. (hereinafter referred to as the "Funds").

#### Services and related report

We will audit the financial statements of the Funds at December 31, 2007 and for the year then ending. Upon completion of our audit, we will provide the Funds with our audit report on the financial statements referred to above.

If, for any reasons caused by the Funds or relating to the affairs or management of the Funds, we are unable to complete the audit, we may decline to issue a report as a result of this engagement.

#### Our responsibilities and limitations

The objective of an audit is the expression of an opinion on the financial statements. We will be responsible for performing the audit in accordance with auditing standards generally accepted in the United States of America. These standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. The audit will include examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements, assessing accounting principles used and significant estimates made by management, and evaluating the overall financial statement presentation in accordance with accounting standards generally accepted in the United States of America.

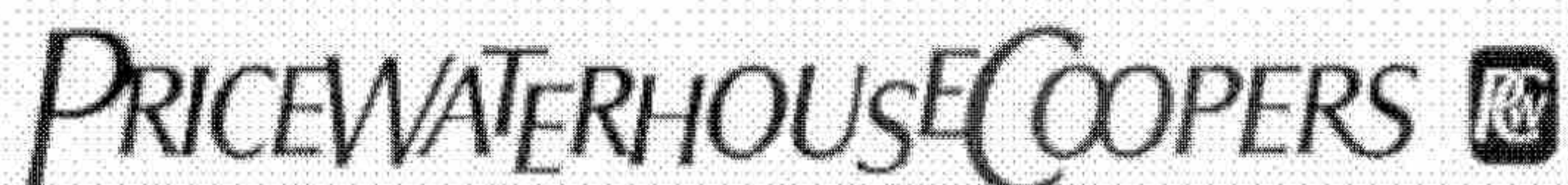
We will consider the Funds' internal control over financial reporting solely for the purpose of determining the nature, timing and extent of auditing procedures necessary for expressing our opinion on the financial statements. This consideration will not be sufficient to enable us to provide assurance on the effectiveness of internal control over financial reporting. However, any use significant deficiencies and material weaknesses and other deficiencies (i.e., those deficiencies in internal control over financial reporting that are of a lesser magnitude) relating to internal control over financial reporting identified during our audit will be communicated to you.

A list of partners can be obtained from the above address.  
PricewaterhouseCoopers refers to the members of the worldwide PricewaterhouseCoopers organisation.

KING\_000048612

KING\_000048612





Mr. Christopher Wetherhill  
Reference: AJB/SWB/sp/pat/163921 EL  
October 1, 2007

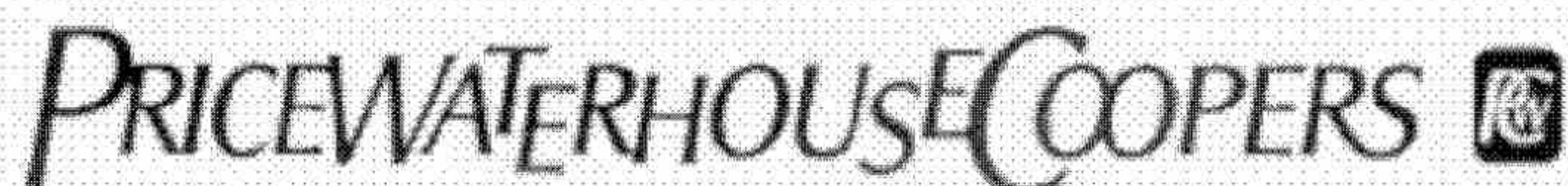
We will design our audit to obtain reasonable, but not absolute, assurance of detecting errors or fraud that would have a material effect on the financial statements as well as other illegal acts having a direct and material effect on financial statement amounts. Our audit will not include a detailed audit of transactions, such as would be necessary to disclose errors or fraud that did not cause a material misstatement of the financial statements. It is important to recognize that there are inherent limitations in the auditing process. Audits are based on the concept of selective testing of the data underlying the financial statements, which involves judgment regarding the areas to be tested, and the nature, timing, extent and results of the tests to be performed. Audits are, therefore, subject to the limitation that material errors or fraud or other illegal acts having a direct and material financial statement impact, if they exist, may not be detected. Because of the characteristics of fraud, particularly those involving concealment through collusion, falsified documentation and management's ability to override controls, an audit designed and executed in accordance with generally accepted auditing standards may not detect a material fraud. Further, while effective internal control reduces the likelihood that errors, fraud or other illegal acts will occur and remain undetected, it does not eliminate that possibility. For these reasons we cannot ensure that errors, fraud or other illegal acts, if present, will be detected. However, we will communicate to the Funds, as appropriate, any such matters identified during our audit.

The audit will not be planned or conducted in contemplation of reliance by any third party or with respect to any specific transaction. Therefore, items of a possible interest to a third party will not be specifically addressed and matters may exist that would be assessed differently by a third party, possibly in connection with a specific transaction. We are aware that, from time to time, you may request that representatives of PricewaterhouseCoopers communicate directly with a third party (such as an investor, or a firm acting on its behalf) (the "Third Party") who is making certain inquiries with respect to the Funds to confirm our engagement as the Funds' auditor. To facilitate our response to these request, any such requests should be made to us in writing and are subject to our standard policies for responding to such requests including obtaining written acknowledgements from the management and the Third Party with respect to such communications. We may decline to engage in such communications if such written acknowledgements are not obtained, or for any other reason at our discretion.

#### **Management's responsibilities**

The Funds' management are responsible for the financial statements and information referred to above. In this regard, management (which includes for purposes of this letter the Fund Administrator, the Transfer Agent, or other Service Agents) is responsible for establishing policies and procedures that pertain to the maintenance of accounting records, the authorization of receipts and disbursements, the safeguarding of assets, the proper recording of transactions in the accounting records and for establishing and maintaining internal control sufficient to permit the preparation and reporting of financial statements in conformity with generally accepted accounting principles. Management also is responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us (i) about all known or suspected fraud affecting the Funds involving (a) management, (b) employees who have significant roles in internal control over financial reporting, and (c) others where the fraud could have a material effect on the financial statements, and (ii) of its knowledge of any allegations of fraud or suspected fraud affecting the Fund received in





Mr. Christopher Wetherhill  
Reference: AJB/SWB/spi/pat/163931 EL  
October 1, 2007

communications from employees, former employees, analysts, regulators, short sellers, or others. Management is responsible for (i) adjusting the financial statements to correct material misstatements and for affirming to us that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the year under audit are immaterial, both individually and in the aggregate, to the financial statements taken as a whole; and (ii) notifying us of all use significant deficiencies and material weaknesses, in the design or operation of the Funds' internal control over financial reporting that are reasonably likely to adversely affect the Funds' ability to record, process, summarize and report external financial data reliably in accordance with generally accepted accounting principles. Management also is responsible for identifying and ensuring that the Funds comply with the laws and regulations applicable to their activities.

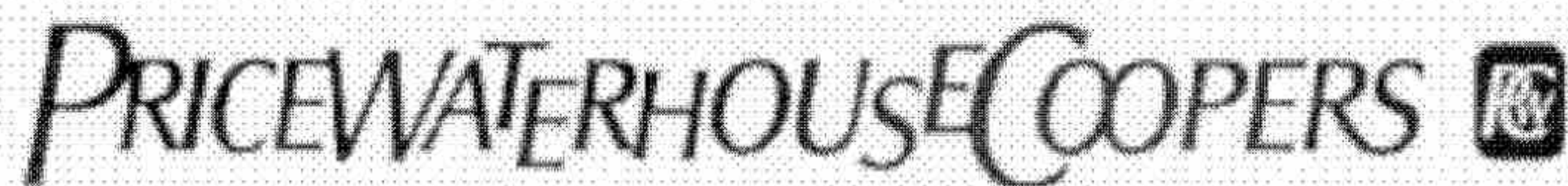
As part of management's responsibility for the financial statements and the effectiveness of its system of internal control over financial reporting, management is responsible for making available to us, on a timely basis, all of the Funds' original accounting records and related information and Fund personnel to whom we may direct inquiries. As required by generally accepted auditing standards, we will make specific inquiries of management and others about the representations embodied in the financial statements and the effectiveness of internal control over financial reporting. Generally accepted auditing standards also require that we obtain written representations covering audited financial statements from certain members of management. The results of our audit tests, the responses to our inquiries and the written representations comprise the evidential matter we intend to rely upon in forming our opinion on the financial statements.

#### **Representation from management**

As noted above, at the conclusion of the engagement, the Funds' management will provide to us a representation letter that, among other things, will confirm:

- management's responsibility for the preparation of the financial statements in accordance with generally accepted accounting principles and for the implementation and operation of internal controls that are designed to prevent and detect fraud and error;
- the completeness and accuracy of financial records and related data;
- the completeness and availability of all minutes of the Board and committee meetings;
- that the effects of any uncorrected misstatements brought to its attention by us during our audit are immaterial, both individually and in the aggregate, to the financial statements taken as a whole;
- that management have notified us of all deficiencies in the design or operation of the Funds' internal controls over financial reporting that are reasonably likely to adversely affect the Funds' abilities to record, process, summarize and report external financial data reliably in accordance with generally accepted accounting principles;





Mr. Christopher Wetherill  
Reference: AJB/SVVB/spicpat/183931 EL  
October 1, 2007

- that management have identified and ensured that the Funds have complied with the laws and regulations applicable to its activities;
- that management have made available to us all of the Funds' original accounting records and related information;
- the results of management's assessment of the risk that the financial statements may be materially misstated as a result of fraud; and
- all significant facts relating to any frauds or suspected frauds known to management that may have affected the Funds.

#### **Internet Communications**

During the engagement we may from time to time communicate with you electronically. However, as you are aware, the electronic transmission of information cannot be guaranteed to be secure or error free and such information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete or otherwise be adversely affected or unsafe to use. We shall not have any liability to you arising from or in connection with the electronic communication of information to you during or as a result of its electronic transmission outside of PricewaterhouseCoopers' electronic environment. If the communication relates to a matter of significance and there are concerns about possible effects of electronic transmission a hard copy of such transmission should be requested from us.

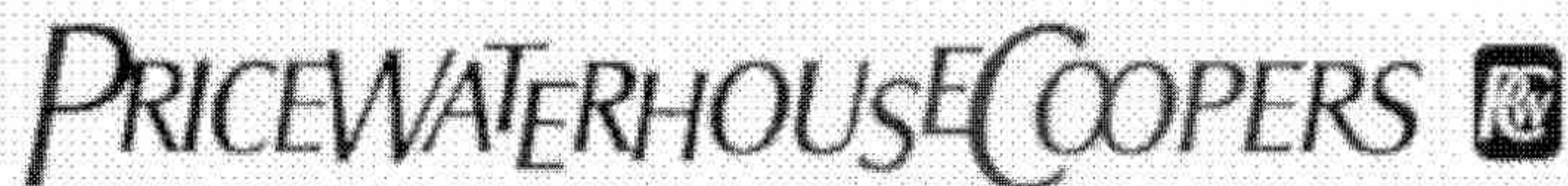
#### **Other documents**

Generally accepted auditing standards require that we read any annual report that contains our audit report. The purpose of this procedure is to consider whether other information in the annual report, including the manner of its presentation, is materially inconsistent with information appearing in the financial statements. We assume no obligation to perform procedures to corroborate such other information as part of our audit.

If management intends to publish or reproduce, in printed form or electronically (e.g., on an Internet Web Site), the financial statements together with our report (or otherwise make reference to PricewaterhouseCoopers) in a document that contains other information, management agrees to (a) provide us with a draft of such document to read, and (b) obtain our approval for inclusion of our report, before the document is finalized and distributed. Where our audit report is reproduced in any medium, the complete financial statements, including notes, must also be presented.

The Funds may wish to include our report on these financial statements in a registration statement for a securities offering. The Funds agree that the aforementioned audit report, or reference to PricewaterhouseCoopers, will not be included in any such offering without our prior permission or consent. Any agreement to perform work in connection with an offering, including an agreement to provide permission or consent, will be a separate engagement.





Mr. Christopher Wetherhill  
Reference: A38/SWB/sp/pat/163931 EL  
October 1, 2007

#### **Release and indemnification**

Because of the importance of oral and written representations to an effective audit, the Funds release PricewaterhouseCoopers and its personnel from any and all claims, liabilities, costs and expenses (including attorneys fees and costs) attributable to any knowing misrepresentation by management. In no event shall PricewaterhouseCoopers be liable to the Funds, whether a claim be in tort, contract or otherwise:

- for any amount in excess of the total professional fees paid by the Funds under this engagement letter; or
- for any consequential, indirect, lost profit or similar damages relating to PricewaterhouseCoopers' services provided under this engagement letter, except to the extent finally determined to have resulted from the wilful misconduct or fraudulent behaviour of PricewaterhouseCoopers relating to such services.

In addition, the Funds agree to indemnify and hold harmless PricewaterhouseCoopers and its personnel from any and all claims, liabilities, costs and expenses (including attorneys fees and costs) relating to PricewaterhouseCoopers' services under this engagement letter, except to the extent finally determined to have resulted from the wilful misconduct or fraudulent behaviour of PricewaterhouseCoopers relating to such services.

#### **Limitation of liability**

In any action, claim, loss or damage arising out of the engagement, the Funds agree that PricewaterhouseCoopers' liability will be several and not joint and several, and the Funds may only claim payment from PricewaterhouseCoopers of PricewaterhouseCoopers' proportionate share of the total liability based on degree of fault.

In the unlikely event that differences concerning our services or fees should arise that are not resolved by mutual agreement, to facilitate judicial resolution and save time and expense of both parties, the Funds and PricewaterhouseCoopers agree not to demand a trial by jury in any action, proceeding or counterclaim arising out of or relating to our services and fees for this engagement.

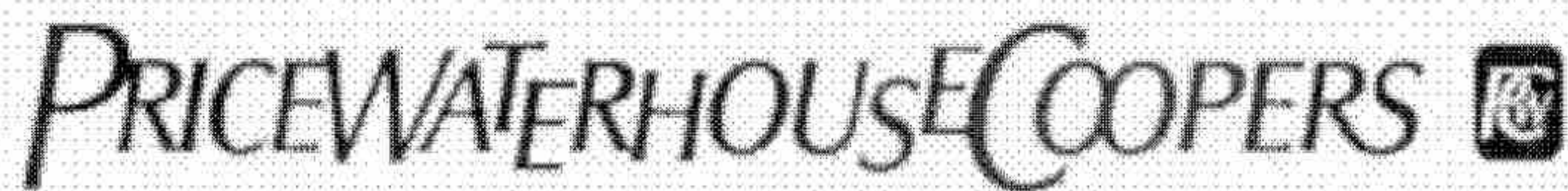
#### **Working papers**

All working papers and files, other materials, reports and work created, developed or performed by PricewaterhouseCoopers during the course of the audit are the property of PricewaterhouseCoopers.

#### **Governing law**

This agreement shall be governed by and construed in accordance with the laws of Bermuda and shall be deemed in all respects to be a Bermuda contract. The parties hereby agree to the jurisdiction of the courts of Bermuda with respect to all matters arising under or by virtue of this agreement. If any of the





Mr. Christopher Wetherhill  
Reference: AJB/SWB/sp/pat/163931 EL  
October 1, 2007

provisions of this agreement are determined to be invalid or unenforceable, the remaining provisions shall remain in effect and be binding on the parties to the fullest extent permitted by law.

#### **Engagement team leaders**

The engagement will be led by:

- Andrew J. Brook, engagement leader, who will be responsible for assuring the overall quality, value and timeliness of our services to the Funds;
- Graham MacDonald, team manager, who will be responsible for managing the delivery of our services to the Funds.

#### **Timing and fees**

Completion of our work is subject to, among other things, 1) appropriate cooperation from the Funds' personnel, including timely preparation of necessary schedules, 2) timely responses to our inquiries, and 3) timely communication of all significant accounting and financial reporting matters. When and if for any reason the Funds are unable to provide such schedules, information and assistance, PricewaterhouseCoopers and the Funds will mutually revise the fee to reflect additional services, if any, required of us to complete the audit.

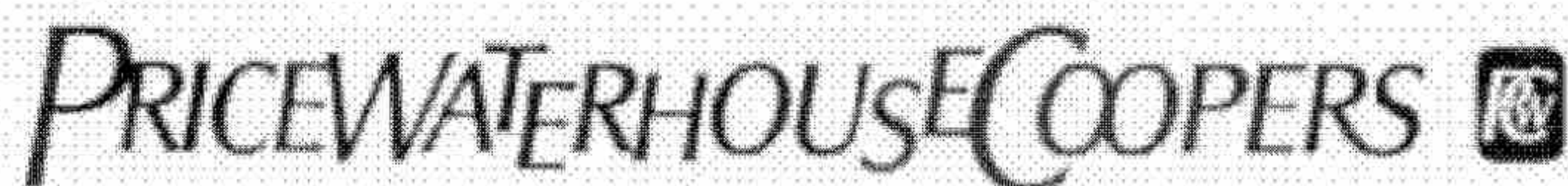
We may use temporary contract staff to perform certain tasks on your engagement and will bill for that time at the rate that corresponds to PricewaterhouseCoopers staff providing a similar level of service. Upon request, we will be happy to provide details on the training, supervision and billing arrangements we use in connection with these professionals.

Our fee estimates are based on the time required by the individuals assigned to the engagement. Individual hourly rates vary according to the degree of responsibility involved and experience and skill required. We estimate our fees for this audit engagement will be \$100,000, exclusive of out-of-pocket expenses. This estimate takes into account the agreed-upon level of preparation and assistance from Fund personnel; we will advise management should this not be provided or should any other circumstances arise which may cause actual time to exceed that estimate.

We also will bill the Funds for reasonable out-of-pocket expenses and our internal charges for certain support activities. Our internal charges include certain flat-rate amounts that reflect an allocation of estimated costs, including those associated with general office services, such as computer usage, telephone charges, facsimile transmissions, postage and photocopying. We leverage our size to achieve cost savings for our clients in all areas of expense, including those covered by these internal charges and use this system of allocation to minimize total costs.

Our fees and out-of-pocket expenses will be billed to the Funds in advance of the following expected settlement dates:





Mr. Christopher Wetherhill  
Reference: AUB/SWB/spi/pat/163931 EL  
October 1, 2007

Date	Amount
November 22, 2007	\$70,000
February 28, 2008	The balance, plus disbursements

#### Other matters

PricewaterhouseCoopers, a Bermuda partnership ("PricewaterhouseCoopers"), is the Bermuda firm of the global network of PricewaterhouseCoopers firms, a worldwide organization of individual partnerships and companies. This engagement letter is between the Funds and PricewaterhouseCoopers only. In the course of providing the services set out in this engagement letter, PricewaterhouseCoopers may, at its discretion, draw on the resources of another entity (whether or not incorporated) which carries on business under a name which includes all or part of the PricewaterhouseCoopers name or is otherwise within (or associated or connected with an entity within) or is a correspondent firm of the worldwide network of PricewaterhouseCoopers firms (together, "PwC Affiliates"). The Funds agree that we may provide any information we receive in connection with this engagement to other PwC Affiliates for the purpose of providing the services set forth in this engagement letter and/or for internal administrative and regulatory compliance purposes.

Unless a PwC Affiliate is contracted by you or a group entity to provide any of the services which are the subject of this letter, provision of the services remains the responsibility of PricewaterhouseCoopers alone and you will not bring any claim, whether in contract, tort (including negligence) or otherwise against any PwC Affiliate or any employee of PricewaterhouseCoopers or PwC Affiliate ("the Employees") in respect of this engagement letter or the services. In these circumstances any PwC Affiliate who deals with you in the course of providing the services, does so on behalf of PricewaterhouseCoopers alone. The provisions of this clause have been stipulated by PricewaterhouseCoopers expressly for the benefit of PwC Affiliates and the Employees. PwC Affiliates and the Employees will have the right to rely on this clause as if they were parties to the engagement letter and will have the right (subject to the discretion of the Court) to a stay in proceedings if you bring any claim against any PwC Affiliate or any of the Employees in breach of this clause.

Any additional services that the Funds may request and we agree to provide will be the subject of separate written agreements.

In the event we are requested or authorized by the Funds or required by government regulation, subpoena, or other legal process to produce our working papers or our personnel as witnesses with respect to our engagement for the Funds, the Funds will, so long as we are not a party to the proceeding in which the information is sought, reimburse us for our professional time and expenses, as well as the fees and expenses of our counsel, incurred in responding to such a request.

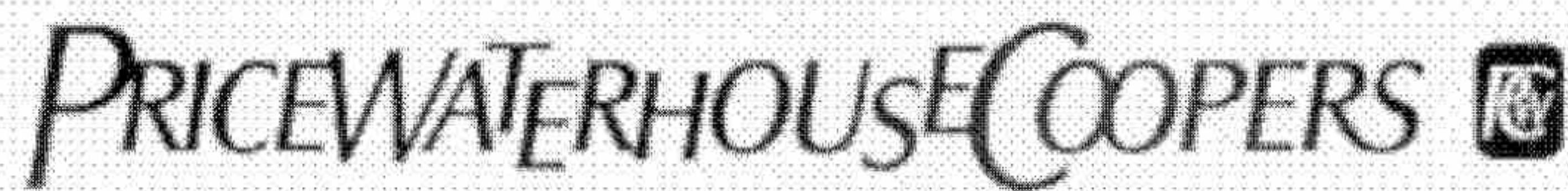
The Funds agree that it will not, directly or indirectly, agree to assign or transfer any claim against PricewaterhouseCoopers arising out of this engagement to anyone, except to an entity with which the Funds merge or an entity which acquires all or substantially all of the assets of the Funds, and where, in either case, the assignee entity agrees to be bound by this provision.

(7)

KING\_000048618

KING\_000048612





Mr. Christopher Wetherhill  
Reference: AJB/SVB/spirpat/163931 E1  
October 1, 2007

This engagement letter reflects the entire agreement between us relating to the services covered by this letter. It replaces and supersedes any previous proposals, correspondence and understandings, whether written or oral. The agreements contained in this engagement letter shall survive the completion or termination of this engagement.

If the services outlined herein are in accordance with the Funds' requirements and if the above terms are acceptable to the Funds, please have one copy of this letter signed in the space provided below and return it to us.

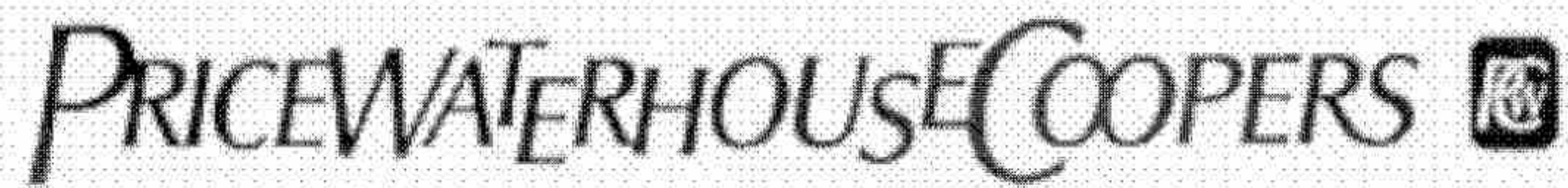
Very truly yours,

A handwritten signature in dark ink, appearing to read "PricewaterhouseCoopers". The signature is written in a cursive, flowing style.

Andrew J. Brook  
Partner

\* \* \* \*






Mr. Christopher Wetherhill  
Reference: AJB/SW&sp/psat/165931 EL  
October 1, 2007

The services and terms, as set forth in this letter are agreed to.

Kingate Global Fund, Ltd.  
Kingate Euro Fund, Ltd.

By:   
Christopher Wetherhill  
Director  
  
17/11/07  
Date signed



## **EXHIBIT 10**





PricewaterhouseCoopers  
Chartered Accountants  
Dorchester House  
7 Church Street  
Hamilton HM 11  
Bermuda  
Telephone +1 (441) 295 2000  
Facsimile +1 (441) 295 1242  
[www.pwc.com/bermuda](http://www.pwc.com/bermuda)

The Board of Directors  
Kingate Global Fund, Ltd. and  
Kingate Euro Fund, Ltd.  
99 Front Street  
Hamilton HM 11

October 30, 2008

Reference: SWB/GRM/spi/pat/163931 ENGAGE LTR – 150-1

Dear Sirs,

The purpose of this letter is to confirm our understanding of the terms of our engagement as auditors of Kingate Global Fund, Ltd. and Kingate Euro Fund, Ltd. (hereinafter referred to collectively as the "Funds").

#### **Services and related report**

We will audit the financial statements of the Funds at December 31, 2008 and for the year then ending. Upon completion of our audits, we will provide the Funds with our audit report on the financial statements referred to above.

If, for any reasons caused by the Funds or relating to the affairs or management of the Funds, we are unable to complete the audits, we may decline to issue a report as a result of this engagement.

#### **Our responsibilities and limitations**

The objective of an audit is the expression of an opinion on the financial statements. We will be responsible for performing the audits in accordance with auditing standards generally accepted in the United States of America. These standards require that we plan and perform the audits to obtain reasonable assurance about whether the financial statements are free of material misstatement. The audits will include examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements, assessing accounting principles used and significant estimates made by management, and evaluating the overall financial statement presentation in accordance with accounting standards generally accepted in the United States of America.

We will consider the Funds' internal control over financial reporting solely for the purpose of determining the nature, timing and extent of auditing procedures necessary for expressing our opinion on the financial statements. This consideration will not be sufficient to enable us to provide assurance on the effectiveness of internal control over financial reporting. However, any significant deficiencies and material weaknesses and other deficiencies (i.e., those deficiencies in internal control over financial reporting that are of a lesser magnitude) relating to internal control over financial reporting identified during our audits will be communicated to you.

A list of partners can be obtained from the above address.

"PricewaterhouseCoopers" refers to PricewaterhouseCoopers (a Bermuda partnership) or, as the context requires, the PricewaterhouseCoopers global network or other member Firms of the network, each of which is a separate and independent legal entity.

KING\_000073894

KING\_000073894





The Board of Directors  
Reference: SWB/GRM/spi/pat/163931 EL  
October 30, 2008

We will design our audits to obtain reasonable, but not absolute, assurance of detecting errors or fraud that would have a material effect on the financial statements as well as other illegal acts having a direct and material effect on financial statement amounts. Our audits will not include a detailed audit of transactions, such as would be necessary to disclose errors or fraud that did not cause a material misstatement of the financial statements. It is important to recognize that there are inherent limitations in the auditing process. Audits are based on the concept of selective testing of the data underlying the financial statements, which involves judgment regarding the areas to be tested, and the nature, timing, extent and results of the tests to be performed. Audits are, therefore, subject to the limitation that material errors or fraud or other illegal acts having a direct and material financial statement impact, if they exist, may not be detected. Because of the characteristics of fraud, particularly those involving concealment through collusion, falsified documentation and management's ability to override controls, an audit designed and executed in accordance with generally accepted auditing standards may not detect a material fraud. Further, while effective internal control reduces the likelihood that errors, fraud or other illegal acts will occur and remain undetected, it does not eliminate that possibility. For these reasons we cannot ensure that errors, fraud or other illegal acts, if present, will be detected. However, we will communicate to the Funds, as appropriate, any such matters identified during our audits.

The audits will not be planned or conducted in contemplation of reliance by any third party or with respect to any specific transaction. Therefore, items of a possible interest to a third party will not be specifically addressed and matters may exist that would be assessed differently by a third party, possibly in connection with a specific transaction. We are aware that, from time to time, you may request that representatives of PricewaterhouseCoopers communicate directly with a third party (such as an investor, or a firm acting on its behalf) (the "Third Party") who is making certain inquiries with respect to the Funds to confirm our engagement as the Funds' auditor. To facilitate our response to these requests, any such requests should be made to us in writing and are subject to our standard policies for responding to such requests including obtaining written acknowledgements from the management and the Third Party with respect to such communications. We may decline to engage in such communications if such written acknowledgements are not obtained, or for any other reason at our discretion.

#### **Management's responsibilities**

The Funds' management is responsible for the financial statements and information referred to above. In this regard, management (which includes for purposes of this letter the Fund Administrator, the Transfer Agent, or other Service Agents) is responsible for establishing policies and procedures that pertain to the maintenance of accounting records, the authorization of receipts and disbursements, the safeguarding of assets, the proper recording of transactions in the accounting records and for establishing and maintaining internal control sufficient to permit the preparation and reporting of financial statements in conformity with generally accepted accounting principles. Management also is responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us (i) about all known or suspected fraud affecting the Funds involving (a) management, (b) employees who have significant roles in internal control over financial reporting, and (c) others where the fraud could have a material effect on the financial statements; and (ii) of its knowledge of any allegations of fraud or suspected fraud affecting the Funds received in communications from employees, former employees, analysts, regulators, short sellers, or others. Management is responsible for (i) adjusting the financial statements to correct material misstatements and for affirming to us that the effects of any uncorrected misstatements aggregated by us during the





The Board of Directors  
Reference: SWB/GRM/spi/pa/163931 EL  
October 30, 2008

current engagement and pertaining to the year under audit are immaterial, both individually and in the aggregate, to the financial statements taken as a whole; and (ii) notifying us of all significant deficiencies and material weaknesses, in the design or operation of the Funds' internal control over financial reporting that are reasonably likely to adversely affect the Funds' ability to record, process, summarize and report external financial data reliably in accordance with generally accepted accounting principles. Management also is responsible for identifying and ensuring that the Funds comply with the laws and regulations applicable to their activities.

As part of management's responsibility for the financial statements and the effectiveness of its system of internal control over financial reporting, management is responsible for making available to us, on a timely basis, all of the Funds' original accounting records and related information and Fund personnel to whom we may direct inquiries. As required by generally accepted auditing standards, we will make specific inquiries of management and others about the representations embodied in the financial statements and the effectiveness of internal control over financial reporting. Generally accepted auditing standards also require that we obtain written representations covering audited financial statements from certain members of management. The results of our audit tests, the responses to our inquiries and the written representations comprise the evidential matter we intend to rely upon in forming our opinion on the financial statements.

#### **Representation from management**

As noted above, at the conclusion of the engagement, the Funds' management will provide to us a representation letter that, among other things, will confirm:

- management's responsibility for the preparation of the financial statements in accordance with generally accepted accounting principles and for the implementation and operation of internal controls that are designed to prevent and detect fraud and error;
- the completeness and accuracy of financial records and related data;
- the completeness and availability of all minutes of the Board and committee meetings;
- that the effects of any uncorrected misstatements brought to its attention by us during our audits are immaterial, both individually and in the aggregate, to the financial statements taken as a whole;
- that management have notified us of all deficiencies in the design or operation of the Funds' internal control over financial reporting that are reasonably likely to adversely affect the Funds' ability to record, process, summarize and report external financial data reliably in accordance with generally accepted accounting principles;
- that management have identified and ensured that the Funds have complied with the laws and regulations applicable to its activities;
- that management have made available to us all of the Funds' original accounting records and related information;

(3)

KING\_000073896

KING\_000073894





The Board of Directors  
Reference: SWB/GRM/spi/pa/163931 EL  
October 30, 2008

- the results of management's assessment of the risk that the financial statements may be materially misstated as a result of fraud; and
- all significant facts relating to any frauds or suspected frauds known to management that may have affected the Funds.

#### **Internet Communications**

During the engagement we may from time to time communicate with you electronically. However, as you are aware, the electronic transmission of information cannot be guaranteed to be secure or error free and such information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete or otherwise be adversely affected or unsafe to use. We shall not have any liability to you arising from or in connection with the electronic communication of information to you during or as a result of its electronic transmission outside of PricewaterhouseCoopers' electronic environment. If the communication relates to a matter of significance and there are concerns about possible effects of electronic transmission a hard copy of such transmission should be requested from us.

#### **Other documents**

Generally accepted auditing standards require that we read any annual report that contains our audit report. The purpose of this procedure is to consider whether other information in the annual report, including the manner of its presentation, is materially inconsistent with information appearing in the financial statements. We assume no obligation to perform procedures to corroborate such other information as part of our audits.

If management intends to publish or reproduce, in printed form or electronically (e.g., on an Internet Web Site), the financial statements together with our report (or otherwise make reference to PricewaterhouseCoopers) in a document that contains other information, management agrees to (a) provide us with a draft of such document to read, and (b) obtain our approval for inclusion of our report, before the document is finalized and distributed. Where our audit report is reproduced in any medium, the complete financial statements, including notes, must also be presented.

The Funds may wish to include our report on these financial statements in a registration statement for a securities offering. The Funds agree that the aforementioned audit reports, or reference to PricewaterhouseCoopers, will not be included in any such offering without our prior permission or consent. Any agreement to perform work in connection with an offering, including an agreement to provide permission or consent, will be a separate engagement.

#### **Release and indemnification**

Because of the importance of oral and written representations to an effective audit, the Funds release PricewaterhouseCoopers and its personnel from any and all claims, liabilities, costs and expenses (including attorneys fees and costs) attributable to any knowing misrepresentation by management. In no event shall PricewaterhouseCoopers be liable to the Funds, whether a claim be in tort, contract or otherwise:





The Board of Directors  
Reference: SWB/GRM/spi/pat/163931 EL  
October 30, 2008

- for any amount in excess of the total professional fees paid by the Funds under this engagement letter; or
- for any consequential, indirect, lost profit or similar damages relating to PricewaterhouseCoopers' services provided under this engagement letter, except to the extent finally determined to have resulted from the wilful misconduct or fraudulent behaviour of PricewaterhouseCoopers relating to such services.

In addition, the Funds agree to indemnify and hold harmless PricewaterhouseCoopers and its personnel from any and all claims, liabilities, costs and expenses (including attorneys fees and costs) relating to PricewaterhouseCoopers' services under this engagement letter, except to the extent finally determined to have resulted from the wilful misconduct or fraudulent behaviour of PricewaterhouseCoopers relating to such services.

#### **Limitation of liability**

In any action, claim, loss or damage arising out of the engagement, the Funds agree that PricewaterhouseCoopers' liability will be several and not joint and several; and the Funds may only claim payment from PricewaterhouseCoopers of PricewaterhouseCoopers' proportionate share of the total liability based on degree of fault.

In the unlikely event that differences concerning our services or fees should arise that are not resolved by mutual agreement, to facilitate judicial resolution and save time and expense of both parties, the Funds and PricewaterhouseCoopers agree not to demand a trial by jury in any action, proceeding or counterclaim arising out of or relating to our services and fees for this engagement.

#### **Working papers**

All working papers and files, other materials, reports and work created, developed or performed by PricewaterhouseCoopers during the course of the audits are the property of PricewaterhouseCoopers.

#### **Governing law**

This agreement shall be governed by and construed in accordance with the laws of Bermuda and shall be deemed in all respects to be a Bermuda contract. The parties hereby agree to the jurisdiction of the courts of Bermuda with respect to all matters arising under or by virtue of this agreement. If any of the provisions of this agreement are determined to be invalid or unenforceable, the remaining provisions shall remain in effect and be binding on the parties to the fullest extent permitted by law.

#### **Engagement team leaders**

The engagement will be led by:

- Scott Watson-Brown, engagement leader, who will be responsible for assuring the overall quality, value and timeliness of our services to the Funds;





The Board of Directors  
Reference: SWB/GRM/spi/pat/163931 EL  
October 30, 2008

- Graham MacDonald, team manager, who will be responsible for managing the delivery of our services to the Funds.

#### Timing and fees

Completion of our work is subject to, among other things, 1) appropriate cooperation from the Funds' personnel, including timely preparation of necessary schedules, 2) timely responses to our inquiries, and 3) timely communication of all significant accounting and financial reporting matters. When and if for any reason the Funds are unable to provide such schedules, information and assistance, PricewaterhouseCoopers and the Funds will mutually revise the fee to reflect additional services, if any, required of us to complete the audits.

We may use temporary contract staff to perform certain tasks on your engagement and will bill for that time at the rate that corresponds to PricewaterhouseCoopers staff providing a similar level of service. Upon request, we will be happy to provide details on the training, supervision and billing arrangements we use in connection with these professionals.

Our fee estimates are based on the time required by the individuals assigned to the engagement. Individual hourly rates vary according to the degree of responsibility involved and experience and skill required. We estimate our fees for this audit engagement will be \$105,000, exclusive of out-of-pocket expenses. This estimate takes into account the agreed-upon level of preparation and assistance from Fund personnel; we will advise management should this not be provided or should any other circumstances arise which may cause actual time to exceed that estimate.

We also will bill the Funds for reasonable out-of-pocket expenses and our internal charges for certain support activities. Our internal charges include certain flat-rate amounts that reflect an allocation of estimated costs, including those associated with general office services, such as computer usage, telephone charges, facsimile transmissions, postage and photocopying. We leverage our size to achieve cost savings for our clients in all areas of expense, including those covered by these internal charges and use this system of allocation to minimize total costs.

Our fees and out-of-pocket expenses will be billed to the Funds in advance of the following expected settlement dates:

Date	Amount
December 15, 2008	70%
Upon issuance of draft financial statements	The balance plus disbursements

#### Other matters

PricewaterhouseCoopers, a Bermuda partnership ("PricewaterhouseCoopers"), is the Bermuda firm of the global network of PricewaterhouseCoopers firms, a worldwide organization of individual partnerships and companies. This engagement letter is between the Funds and PricewaterhouseCoopers only. In the course of providing the services set out in this engagement letter, PricewaterhouseCoopers may, at its discretion, draw on the resources of another entity (whether or not incorporated) which carries on business under a name which includes all or part of the PricewaterhouseCoopers name or is otherwise within (or associated or connected with an entity within)





The Board of Directors  
Reference: SWB/GRM/spi/pat/163931 EL  
October 30, 2008

or is a correspondent firm of the worldwide network of PricewaterhouseCoopers firms (together, including such entities' partners, members and employees, "PwC Affiliates"). The Funds agree that we may provide any information we receive in connection with this engagement to other PwC Affiliates for the purpose of providing the services set forth in this engagement letter and/or for internal administrative and regulatory compliance purposes.

Unless a PwC Affiliate is contracted by you or a group entity to provide any of the services which are the subject of this letter, provision of the services remains the responsibility of PricewaterhouseCoopers alone and you will not bring any claim, whether in contract, tort (including negligence) or otherwise against any PwC Affiliate or any employee of PricewaterhouseCoopers or PwC Affiliate ("the Employees") in respect of this engagement letter or the services. In these circumstances any PwC Affiliate who deals with you in the course of providing the services, does so on behalf of PricewaterhouseCoopers alone. The provisions of this clause have been stipulated by PricewaterhouseCoopers expressly for the benefit of PwC Affiliates and the Employees. PwC Affiliates and the Employees will have the right to rely on this clause as if they were parties to the engagement letter and will have the right (subject to the discretion of the Court) to a stay in proceedings if you bring any claim against any PwC Affiliate or any of the Employees in breach of this clause.

Any additional services that the Funds may request and we agree to provide will be the subject of separate written agreements.

In the event we are requested or authorized by the Funds or required by government regulation, subpoena, or other legal process to produce our working papers or our personnel as witnesses with respect to our engagement for the Funds, the Funds will, so long as we are not a party to the proceeding in which the information is sought, reimburse us for our professional time and expenses, as well as the fees and expenses of our counsel, incurred in responding to such a request.

The Funds agree that they will not, directly or indirectly, agree to assign or transfer any claim against PricewaterhouseCoopers arising out of this engagement to anyone, except to an entity with which the Funds merge or an entity which acquires all or substantially all of the assets of the Funds, and where, in either case, the assignee entity agrees to be bound by this provision.

This engagement letter reflects the entire agreement between us relating to the services covered by this letter. It replaces and supersedes any previous proposals, correspondence and understandings, whether written or oral. The agreements contained in this engagement letter shall survive the completion or termination of this engagement.



03 Nov 2008 14:02

0207937114b

P. 4



The Board of Directors  
Reference: SWB/GRM/suppat/183981 EL  
October 30, 2008

If the services outlined herein are in accordance with the Funds' requirements and if the above terms are acceptable to the Funds, please have one copy of this letter signed in the space provided below and return it to us.

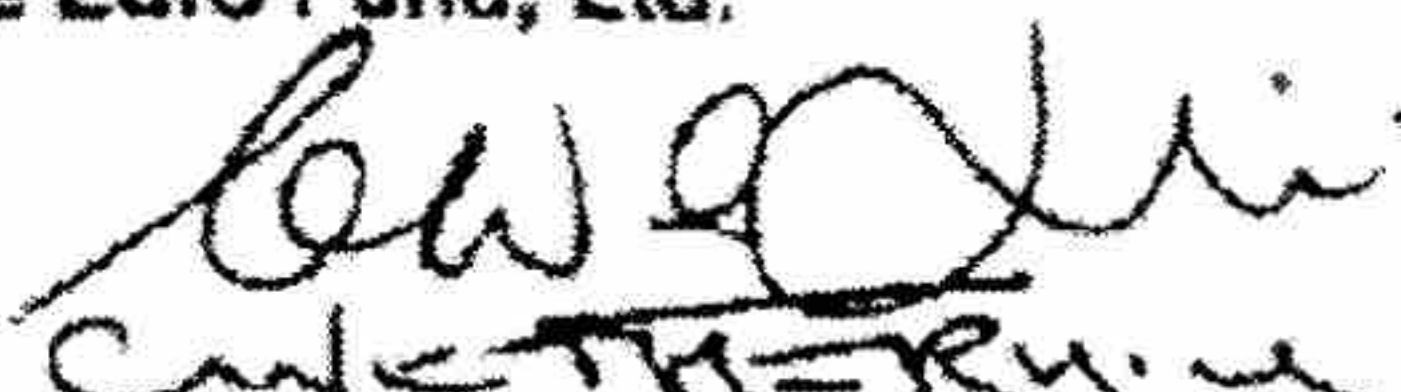
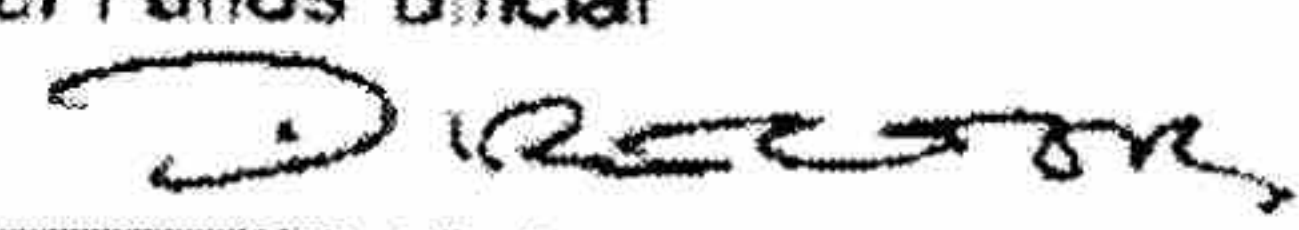
Very truly yours,

Scott Watson-Brown  
Partner

\* \* \* \*

The services and terms, as set forth in this letter are agreed to:

Kingate Global Fund, Ltd.  
Kingate Euro Fund, Ltd.

By:   
Name of Funds' official  
  
Title  
NOV 3, 2008.  
Date signed

(8)

KING\_000073901

KING\_000073894



## **EXHIBIT 11**



**Step**

Entity Name:	Kingate Global Fund Ltd.	Completed By:	Richard van Lienden/BM/ABAS/PwC
Engagement Name:	Kingate Global Fund Ltd 2003	Reviewed By:	Scott Watson-Brown/BM/ABAS/PwC
Period End:	12/31/2003		

**Status: Reviewed**

**Title:** Conduct show me meeting with the Board and record results

**Categorisation**

**Section:** 2500 - Audit comfort cycle - scoping  
**Area:** 400 - Initial "Show me" Meetings with Senior Executives  
**Risk:**  
**Industry Name:** US General July, 2003  
**Review Categorisation:**  
**Assignee:**

**Classification**

<b>Audit Objectives:</b>			
<b>Reference:</b>		<b>Control Step?</b>	No
<b>Document Sort No:</b> 200		<b>Paper File?</b>	No

**Details**

**Guidance:**

- a) Conduct the "show me" meeting with the client to understand, evaluate and validate business understanding and controls by:
- i) rigorous, in-depth enquiry of the client;
  - ii) examination of evidence, e.g., the reports used by the client; and
  - iii) identifying where further "show me" meetings or other follow-up procedures are required in order to corroborate explanations obtained and/or to obtain comfort that information used by the client is reliable.

CONFIDENTIAL

PWCB006159

KING\_000070445





- b) Perform follow-up procedures to corroborate explanations.
- c) Perform analytical review procedures to help validate management controls by directing our audit effort, asking better questions and better establishing how we can audit management's comfort by relating our findings to the "show me" evidence we obtain.
- d) Document the following:
  - i) description of the meeting, e.g., who was met and when;
  - ii) understanding of the business, to the extent necessary;
  - iii) description of the controls which management use to gain comfort;
  - iv) validation of those controls (e.g., reports examined); and
  - v) results of analytical procedures performed to help validate management controls.
- e) Consider whether any knowledge gained during the "show me" meeting is appropriate for sharing with your industry group within PwC. If so, discuss with the rest of the team during the next "taking stock" meeting.
- f) Consider sharing identified board controls and results of "show me" meetings with supporting engagement teams.
- g) If you are a supporting engagement team and do not have access to the Board of Directors, consider requesting the Head Office engagement team to provide details of any audit comfort they have obtained from their "show me" meetings with the Board of Directors.

See Reference field below.

Reference

Refer to PwC Audit 4030 for further guidance on applying the "show me" process.

- a) A "Show me" meeting practice aid is available in MyClient Template Manager . A "Show me" meeting note taking practice aid is also available .
- b) Information that will be relevant to the subsequent period's audit, such as narrative and/or flowcharts recording our understanding of significant business processes that this management unit is responsible for controlling (and the linkage to the financial statements), should be recorded in the tailored procedures field, as the content of that field will be retained when the file is rolled forward.
- c) The controls that management will use will vary from high level controls over information (including business performance reviews) to lower level control activities within business processes. (Management may describe their controls differently - we should focus on how they operate and on evaluating their effectiveness using our knowledge of the business and our cumulative audit knowledge, which can take into account our knowledge of typical controls and their effectiveness) These controls may be manual or automated, and where they are automated, the

CONFIDENTIAL

PWCB006160

KING\_000070446



effectiveness of those controls will be dependent on the general computer controls relating to the relevant computer environment. When preparing for "show me" meetings and in seeking to understand and evaluate whether management are controlling the right things and the controls they use, it may be helpful to refer to steps on internal control in the control activities section in either the US PwC Audit supplement master data or a specific industry master data, if available, which provide points of focus to consider.

---

**Tailored Procedures:**

- a) Conduct the "show me" meeting with the client to understand, evaluate and validate business understanding and controls by:
  - i) rigorous, in-depth enquiry of the client;
  - ii) examination of evidence, e.g., the reports used by the client; and
  - iii) identifying where further "show me" meetings or other follow-up procedures are required in order to corroborate explanations obtained and/or to obtain comfort that information used by the client is reliable.
- b) Perform follow-up procedures to corroborate explanations.
- c) Perform analytical review procedures to help validate management controls by directing our audit effort, asking better questions and better establishing how we can audit management's comfort by relating our findings to the "show me" evidence we obtain.
- d) Document the following:
  - i) description of the meeting, e.g., who was met and when;
  - ii) understanding of the business, to the extent necessary;
  - iii) description of the controls which management use to gain comfort;
  - iv) validation of those controls (e.g., reports examined); and
  - v) results of analytical procedures performed to help validate management controls.
- e) Consider whether any knowledge gained during the "show me" meeting is appropriate for sharing with your industry group within PwC. If so, discuss with the rest of the team during the next "taking stock" meeting.
- f) Consider sharing identified board controls and results of "show me" meetings with supporting engagement teams.
- g) If you are a supporting engagement team and do not have access to the Board of Directors, consider requesting the Head Office engagement team to provide details of any audit comfort they have obtained from their "show me" meetings with the Board of Directors.

CONFIDENTIAL


PWCB006161

KING\_000070447



**Results:**

a,b,d) A meeting was held on the 6 November 2003 between Chris Wetherhill (Director - Kingate Management Limited), Andrew Brook (PwC) and Scott Watson Brown (PwC). Refer to the attachment below for the minutes of the meeting. An update meeting was held on the 16 February 2004. Refer to attached minutes below.

c) For analytical review procedures performed, refer ----> .

e,f,g) Not applicable.

**Attachments:**



Audit Meeting - 16 Feb 2004.doc Kingate Agenda - C Wetherhill Nov 2003.doc

**Status**

Status:	Reviewed
Completed By:	Richard van Lienden/BM/ABAS/PwC
Reviewed By:	Scott Watson-Brown/BM/ABAS/PwC

**Maintenance**

Created By:	Richard van Lienden/BM/ABAS/PwC
Last Modified By:	Scott Watson-Brown/BM/ABAS/PwC
Editors:	Richard van Lienden/BM/ABAS/PwC Scott Watson-Brown/BM/ABAS/PwC

CONFIDENTIAL

PWCB006162

KING\_000070448



**PRICEMATERHOUSECOOPERS** ■

---

*Kingate Global fund, Ltd.  
Kingate Euro Fund, Ltd.  
Audit Meeting, February 16, 2004*

Outstanding Matters

- Matters as per e-mail (dated 14 February 2004) were discussed

Fraud Discussions

- Confirmed with Chris Watermill (director) that none were noted in his capacity as director of the Kin gate Funds or as director of KML.
- Chris raised his concerns over the role of the Board of Directors – he feels they need to be more active. PWC is to follow this up by providing industry examples of the Boards role.

SAS 61 letter

- Letter has been issued in draft to Chris Watermill and awaiting his response.

Industry developments (Patriot Act)

- This will be covered by the change in the role the Board is to play. (Refer above)

CONFIDENTIAL

PWCB006163

KING\_000070449



## PRICEMANERHOUSE COOPERS ■

*Kingate Global Fund, Ltd.  
Kingate Euro Fund, Ltd.  
Audit Meeting, November, 2003*

*Attendees:*

*Chris Wetherhill  
Andrew Brook  
Scott Watson-Brown*

**Audit process:**

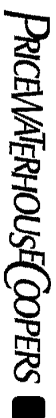
1. General fund update:
  - performance
  - levels of subscriptions, redemptions (still closed to new subscribers?)
  - any significant changes in the controls or process of the Fund over prior year?
2. Telephonic conversation with Bernard Madoff:
  - proposed agenda
  - timing
  - cost reduction opportunities
3. Current industry issues
4. Role of Kingate Management Limited
  - reviews that are performed on a weekly, monthly basis?
  - NAV reviews and other controls over the fund performance
  - approval of NAV by Chris Wetherhill (weekly estimate, monthly)
  - any specific review procedures performed on the NAV (e.g. May and July results)
  - Subscriptions, redemptions processes
  - money laundering procedures, Patriot Act impact
5. Role of Tremont for Kingate Global Fund, Ltd.
6. Planned call to FIM Limited (update call)
7. Fraud Discussion

CONFIDENTIAL

PWCB006164

KING\_000070450





**Audit timing and our audit approach:**

- planning and interim	October 20 to October 31, 2003
- final field work	January 19, 2004
- draft financial statements*	January 30, 2004
- final financial statements*	February 06, 2004

\* dates subject to timely provision of audit information

**Prior year matters for consideration:**

1. Amortization of Treasury bills
2. Representation letter formats (with Hemisphere)

**Client needs and expectations:**

1. Financial statement presentation - US GAAP reporting on comparative figures
2. Communication of issues and delays on a timely basis
3. Review process of draft financial statements
4. Finalization process and closing meeting
5. Audit fee proposal

(2)

CONFIDENTIAL

PWCB006165

KING\_000070451



## **EXHIBIT 12**





**PricewaterhouseCoopers**  
Chartered Accountants  
Dorchester House  
7 Church Street  
Hamilton  
Bermuda HM 11  
Telephone +1 (441) 295 2000  
Facsimile +1 (441) 295 1242

Mr. Christopher Wetherhill  
Kingate Management Limited  
99 Front Street  
Hamilton HM 11

February 15, 2002

Reference: AJB/SWB/mc/pat/45109 DRAFT FS - 9000-5

**Subject: Kingate Global Fund, Ltd.  
Kingate Euro Fund, Ltd. - Working Drafts**

Dear Mr. Wetherhill,

Please find enclosed working draft financial statements (the "Statements") for Kingate Global Fund, Ltd. and Kingate Euro Fund, Ltd. (the "Companies") for your attention. We should be grateful if you could review the Statements and we look forward to responding to any comments or queries you might have.

We draw your attention to significant changes and updates to the Statements from the prior year.

1. You will note that we have included a line on the Kingate Euro Fund, Ltd. Statement of Assets and Liabilities described as "Cash held as collateral on forward currency contracts". As required by FAS 140, this amount should now be disclosed on the face of the statement instead of the notes. The confirmation is currently outstanding and therefore, we are awaiting the figure to disclose. The amount is presently included in cash and cash equivalents.

MAILING ADDRESS: PO BOX HM 1171, Hamilton, Bermuda HM EX.

A list of partners can be obtained from the above address

KING\_000216642





Mr. Christopher Wetherhill

Reference: AJB/SWB/mc/pat/45109

February 15, 2002

2. We have amended Note 5 in both sets of Statements to incorporate a more detailed description of Madoff's roles for the Companies.
3. As now required under US GAAP, the Statements include a note on financial highlights. Amounts have been calculated by PricewaterhouseCoopers but as we are sure you appreciate, this is a new and complex area. In this light, we have received calculations from Hemisphere but have requested further explanation, as they are inconsistent with our numbers.

We are continuing to work with Hemisphere to clear "standard" outstanding audit matters.

Please feel free to contact our office should you have any queries. We look forward to meeting you in the near future.

Kindest regards,

A handwritten signature in black ink, appearing to read 'A. Brook', is written over the printed name and title.

Andrew J. Brook  
Partner

cc: Mr. Eric Bertrand – Hemisphere Management Limited

(2)



## **EXHIBIT 13**





PricewaterhouseCoopers  
Chartered Accountants  
Dorchester House  
7 Church Street  
Hamilton  
Bermuda HM 11  
Telephone +1 (441) 295 2000  
Facsimile +1 (441) 295 1242

Mr. Christopher Wetherhill  
Director  
Kingate Management Limited  
99 Front Street  
Hamilton HM 11

November 7, 2002

Reference: AJB/SWB LTR-9000-1

**Subject: Kingate Global Fund, Ltd.  
Kingate Euro Fund, Ltd. (together the "Funds")  
Control environment review at the Funds advisor and broker/dealer**

Dear Mr Wetherhill,

As we have discussed, we update our knowledge of the Funds' control environment during each audit. Specifically, this year we have planned to perform procedures in the New York office of Bernard L. Madoff Investment Securities LLC ("Madoff") as the investment advisor, broker/dealer and custodian for the fund, in the following areas:

1. Observe and understand the nature of Madoff's business, including the role as principal to the Funds' transactions;
2. Gain an understanding of the structure of the organisation, to determine the extent of high level general controls in operation (e.g. governance, internal audit, etc.);
3. Understand and document Madoff's procedures for compliance with regulatory requirements;
4. Obtain an understanding of the segregation of the Investment Advisor, Brokerage and Custody functions within the organisation;
5. Gain an understanding of client recordkeeping and reporting procedures (i.e. report of holdings and related transactions to clients).

MAILING ADDRESS: PO BOX HM 1171, Hamilton, Bermuda HM EX.

A list of partners can be obtained from the above address





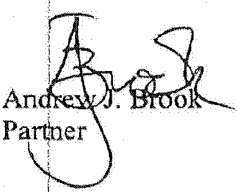
Kingate Global Fund, Ltd.  
Kingate Euro Fund, Ltd.  
November 7, 2002  
Reference: AJB/SWB/ LTR-9000-1

The above procedures will be based primarily on observation and enquiry with limited examination of documentary evidence. Accordingly, we anticipate that we will only need to be in Madoff's offices for four to seven hours, and that all of the procedures will be performed within a three to four day period.

Further to discussions with our New York office, we are anticipating that a team consisting of a partner from our US Capital Market Division (Linda McGowan) who has previously visited the Madoff office, and Scott Watson-Brown, the engagement manager from the Bermuda office, will attend the offices of Madoff in early December 2002.

Please confirm that this timing is acceptable to you and Madoff.

Yours very truly,

  
Andrew J. Brook  
Partner

(2)



## **EXHIBIT 14**





---

## Memo

To: / Location: TA File 12/31/2001/ Bermuda

From: / Location: Andrew Brook/ Bermuda  
Scott Watson-Brown/ Bermuda

Date: February 18, 2003

Subject: Kingate Global Fund, Ltd.  
Kingate Euro Fund, Ltd.

Meeting held with Chris Wetherhill (director of the funds and the management company) at offices of PwC Bermuda, prior to release of draft statements on February 25, 2003.

### Discussion topics:

1. financial statement presentation – client would like to present comparative figures. Statements updated to reflect this;
2. financial statement note disclosures – client suggested additional wording in notes relating to the impact of the audit guide for investment companies, in particular the accretion of discounts on fixed income products; discussion held over the presentation of financial highlights and PwC walked through the different lines items of required disclosure;
3. client expectations – client was pleased with the timing of the planned release of draft accounts, in particular the small number of outstanding items; representation letters were discussed, as were specific paragraphs as they related to service providers surrounding the fund and those parties' ability to represent on matters they were not privy to – certain wording tailored in the rep letters for the roles of the consultants to the fund (FIM Ltd) and the portfolio investment advisor (Madoff);
4. audit process – discussed that while no significant issues were noted during the audit process, we discussed the work we had planned to perform when we planned the audit and noted to CW that this level of work was performed and given the level of accounting performed at HML we would not see any change in our level of audit work. Discussed our enquiries with Madoff during the audit process and the fact that we would be looking to visit Madoff's offices as part of the 2002 year end audit process.

CONFIDENTIAL

PWCB025765

KING\_000070094





5. fund developments, performance post year end, and any other matters (regulatory issues, matters affecting our audit and subsequent events process) – no changes occurring or planned for the funds in so much as their structure, related parties and service providers and strategy; HML is to begin booking trades from the Madoff statements; performance in line with past performance (performance relatively flat); subscriptions/redemptions occurring at levels expected for January, February; other matters occurring surrounding or within the funds that CW is aware of; no instances of fraud or illegal acts noted.

CONFIDENTIAL

PWCB025766<sup>(2)</sup>



## **EXHIBIT 15**



**Audit Strategy Memo  
Guidance**

The **Audit Strategy Memo** and the companion Summary Plan & Results summarize the results of the audit planning and risk assessment procedures in a single document.

**Guidance on Completing the Audit Strategy Memo**

- Refer to the guidance on the Summary Plan & Results [**PwC Audit 3762**].
- All items in the table of contents are required to be addressed in the memo in order to document compliance with GAAS.
- To the extent the Audit Strategy Memo is being used to meet the applicable documentation standards, care should be taken that all aspects of those standards are met.
- All Key Risks and strategies should be clearly identified in the Audit Strategy Memo and included and addressed in the Summary Plan & Results.
- Generally, the manager is responsible for overseeing the development of the memo and its content and related documentation supporting the completed Audit Strategy Memo; various sections may involve preparation and participation by other team members.
- The engagement leader and manager provide the engagement team with sufficient direction regarding how to complete the various Audit Strategy Memo sections such as:
  - Perspectives on risks and materiality,
  - Understanding of the business and industry, and
  - Expectations for preliminary analytics.
- The engagement leader and manager ensure that the Key Risks discussed in the Audit Strategy Memo are:

**CONFIDENTIAL**

**PWCB014162**

KING\_000072626



- Inclusive of risks presented to the Audit Committee/management,
  - Inclusive of items noted in the Acceptance and Continuance Risk and Approach Schedule, and
  - Adequately addressed by the testing plan documented in the Summary Plan & Results.
- The Comments/References field includes sufficient information to meet the documentation requirements.
  - The Audit Strategy Memo and its companion, the Summary Plan & Results, should be shared with the entire engagement team, including SPA, Tax and other specialists.
  - The engagement leader, quality review partner (if applicable) and manager approve, sign and date (either manually or electronically in MyClient) the Audit Strategy Memo prior to the commencement of substantive fieldwork.

The Audit Strategy Memo should be completed prior to the commencement of substantive fieldwork.

The Audit Strategy Memo is only being rolled out in the US. Accordingly, while it is anticipated that the Audit Strategy Memo would include the identification of non-US PwC firms which are expected to participate in the audit; it is not anticipated that non-US PwC firms will prepare an Audit Strategy Memo at this time. Sharing of the Audit Strategy Memo and the Summary Plan & Results with the non-US PwC firms is encouraged.

CONFIDENTIAL

PWCB014163

KING\_000072627



# Kingate Global Fund, Ltd. & Kingate Euro Fund, Ltd. Audit Strategy Memo

Year Ended December 31, 2006

FOR INTERNAL DISTRIBUTION ONLY

PRICEWATERHOUSECOOPERS 

CONFIDENTIAL

PWCB014164

KING\_000072628



**Kingate Global Fund, Ltd. & Kingate Euro Fund, Ltd.**  
**Audit Strategy Memo**  
**Year Ended December 31, 2006**

Table of Contents		Primary References			
Section		PwC Audit	AS	AU	ISA
I.	Engagement Objectives, Deliverables and Key Dates.....	3300,7130	2.4-.6	310.05-.07, 311.03(h)	210.5-.9
II.	Understanding the Business				
	Market overview .....	4322	2.39	311.07	315.22-29
	Strategy and value creating activities .....	4323,4324	2.39	311.07	315.30-34
	Related parties.....	5640	--	311.03(g), 334	315.27, 550
	Industry and regulatory developments .....	5660	2.39	311.07, 317.04-.06	315.22-.24, 250.15
	Financial performance.....	4325	2.39	311.07	315.35-.40
	Preliminary analytics .....	3930,3940	--	329.06-.08	520.8-.9
	Disaggregated revenue analytics .....	3931.01	--	316.29,.30	240.53,.54
	Preliminary assessment of going concern.....	5630	--	341.02-.03(a)	315.4, 330.9, 570.2, .11
III.	Internal Control Environment				
	Understanding the Company's Internal Control (including Company Level Controls).....	4300,4170	2.52-.54	150.02, 311.09,319	315.41, .67
	Understanding the IT environment.....	4410,4141	2.75	311.09,319.16- .20,.43-.52,.77-.79	315.57-.63,315.80- .88,.93-.95
	Considerations required only for integrated audits: Understanding and evaluating:				
	Management's assessment process .....	4330,4120	2.40-.46	319.37-.40	315.33,.43,.76-.79
	Significant accounts.....	4330,4340	2.60-.70		
	Significant locations or business units .....	4330,4340	2.39-.40,B1-17		
	Significant processes .....	4330,4340,4360	2.71-.78,B18-29	319.47-52, 324.06-.10	315.80-88, 402.4-.10
	Plan to test and evaluate management's assessments .....	4330	2.41-.46	319.39	

**CONFIDENTIAL**  
For Internal Use Only

Pricewaterhouse  
PWGB014165

KING\_000072629



**Kingate Global Fund, Ltd. & Kingate Euro Fund, Ltd.**  
**Audit Strategy Memo**  
**Year Ended December 31, 2006**

Section	Table of Contents	PwC Audit	Primary References		
			AS	AU	ISA
<b>IV. Audit Scope Considerations</b>					
	Consideration of, and changes to, prior year audit approach.....	3737,3735	--	311.04(a),.8, 319.96-.99	315.12, 330.39-.44
	Preliminary assessment of materiality (overall, planning, specific & de minimis)..	1310	2.22-.23	312.12-.33	320
	Potential for material misstatements and other risks				
	Significant new and complex accounting matters.....	5650,3741	2.40	311.04(f),.06(e), 330.08,.25	315.28,505.11
	Risk of material misstatement due to fraud (including heightened risk).....	4210	2.24-.26	316	315.2, 240
	Key risks or significant matters identified from review of:	3000,3100,	2.32-.35	QC20.14-	220.12-.18,
	Acceptance and Continuance, Independence, board & key	5620, 5720		.16,150.02,220,311	ISQC1,315.9,.11,
	committee minutes, significant contracts, internal audit reports and			.06,	.23
	other .....			330.25	
	Understanding of, and reliance on, internal audit	4350	2 – var.	311.04(h),319.55,	315.98, 610
	or relevant compliance functions.....			322	
<b>V. Communication and Coordination</b>					
	Matters discussed with the audit committee/management.....	7000, 3165	2.207-.214	311.04(e), 316.22, 380	300.7, 260
	Use of specialists and experts.....	3720,2080,2090	2.108-.126,3.6	311.04(h),311.10, 319.31-.33,328.20- .22,336.06-.07	300.4,620.6-.7
	Multi-location audit plan (if applicable).....	8000	2.39,B1- 17,3.18-.19	312.18	ED600
	Review schedule.....	2540,2570	3.3, 6,.18-.19	311.11-.14	300.18-.21
	TeamFind key dates .....	6920			
<b>VI. Summary Plan &amp; Results</b>		3762	2 - var	107, 108, 109 - var	300, 315, 330 - var
<b>VII. Audit Strategy Memo Approvals</b>		2031, 2033	--		

KING\_000072630

CONFIDENTIAL - For internal use only

PricewaterhouseCoopers PWC014166



**Kingate Global Fund, Ltd. & Kingate Euro Fund, Ltd.**  
**Audit Strategy Memo**  
**Year Ended December 31, 2006**

I. Engagement Objectives, Deliverables and Key Dates	Comments/References
<ol style="list-style-type: none"> <li>1. The financial statements are available to the directors of the Funds.</li> <li>2. We will render an opinion on the financial statements for the 12 months ended December 31, 2006 in accordance with accounting principles generally accepted in the USA. More specifically, the Fund reports under the AICPA Guide: Investment Companies.</li> <li>3. Our deliverables to the Funds in relation to our audit engagement include communication to the Fund, in writing, of any significant deficiencies and material weaknesses and other deficiencies (i.e., those deficiencies in internal control over financial reporting of a lesser magnitude) relating to internal control over financial reporting.</li> <li>4. The following is a schedule of client deliverable items and target dates agreed with the client: <ul style="list-style-type: none"> <li>▪ Audit commencement date</li> <li>▪ Draft financial statements provided to client</li> <li>▪ Final sign-off.</li> </ul> </li> </ol>	See engagement letter.
II. Understanding the Business	Comments/References
<p><b>Market overview</b></p> <p><b>Competitive Environment</b></p> <p>The Primary business risks facing the Fund are as follows:</p> <ul style="list-style-type: none"> <li>- A significant Market Wide (S&amp;P 100) decline in stock prices and low volatility in stock prices.</li> <li>- A significant redemption of Capital by the Shareholders</li> </ul> <p>Risk assessment by management of the Company is consistent with the Management of an Investment Fund</p> <p><b>Macroeconomic environment</b></p> <p>The S&amp;P 100 Index has shown a steady increase for most of the year. We therefore expect Kingate to successfully utilize their investment strategy to make a profit.</p> <p><b>Regulatory environment</b></p> <p>Based on PwC's relationship with client and representations of lawyers in prior years audits, and consistent with a review of the minutes, no unusual items or developments were noted in prior years. Management (KML and BISYS) is aware of applicable Bermuda law and monitors compliance.</p>	



**Kingate Global Fund, Ltd. & Kingate Euro Fund, Ltd.**  
**Audit Strategy Memo**  
**Year Ended December 31, 2006**

II. Understanding the Business	Comments/References
<p>The fund utilizes lawyers in both the USA and BVI (where it is actively trading and registered, respectively).</p> <p>In addition to procedures performed by BISYS, additional money laundering procedures are performed by Kingate Management - details of their responsibilities and their relationships to the Funds have been documented in the Myclient File per step 300. Based on review of share activity and discussion between Shazieh Salahuddin (KML) and Scott Watson-Brown (PwC) - the Fund routinely rejects subscriptions into the Fund's where sufficient level of comfort cannot be obtained on the source of the Funds.</p>	
<p><b>Strategy and value creating activities</b></p> <p><b>Goals &amp; Objectives</b></p> <p>The investment strategy uses the following:</p> <ul style="list-style-type: none"> <li>o Long equity positions of US listed stocks within the S&amp;P 100 (selection of a basket of stocks numbering 40 to 50, that have the greatest correlation with the market).</li> <li>o writing Call options on the S&amp;P100 Index</li> <li>o buying Put options on the S&amp;P100 Index</li> <li>o purchase of US Treasury bills</li> </ul> <p>The parameters of the strategy are set up such that the equity positions selected must have a correlation with the index of 90% or above. During 2002 the selection of stocks was increased from a basket of 25 to 35 stocks to a basket of 40 to 50 stocks. At this level the basket of stocks has a correlation with the index of around 95%.</p> <p><b>Organisational design &amp; governance structure</b></p> <p><b>Kingate Global Fund:</b></p> <p>Directors of the company: Chris Wetherhill (Independent Director - Bermuda) Sandra Manzke (Independent Director - Unites States of America) John Epps (Independent Director – Bermuda -&gt; replaces Charles Sebah (Independent Director - France) during 2006</p>	



**Kingate Global Fund, Ltd. & Kingate Euro Fund, Ltd.**  
**Audit Strategy Memo**  
**Year Ended December 31, 2006**

II. Understanding the Business	Comments/References
<p style="text-align: center;">Graham Cook (Independent Director - British Virgin Islands)</p> <p>Co-Managers: Kingate Management Limited and Tremont Bermuda Limited  Administrator: BISYS Hedge Fund Services Limited  Bank: Bank of Bermuda (Bermuda)  Consultant: FIM Limited  Investment Mgr/Custodian: Madoff Securities, LLC  Legal advisers: O'Neal Webster, O'Neal Myers (BVI)  Tannenbaum, Helpen (NY)</p> <p><b>Kingate Euro Fund:</b>  Directors of the company: Chris Wetherhill, (Independent Director - Bermuda)  John Epps (Independent Director – Bermuda -&gt; replaces Charles Sebah (Independent  Director - France) during 2006  Graham Cook (Independent Director - British Virgin Islands)</p> <p>Manager: Kingate Management Limited  Administrator: BISYS Hedge Fund Services Limited  Bank: Bank of Bermuda (Bermuda)  Consultant: FIM Limited  Investment Mgr/Custodian: Madoff Securities, LLC  Legal advisers: O'Neal Webster, O'Neal Myers (BVI)  Tannenbaum, Helpen (NY)</p> <p><b>Corporate governance</b></p> <p><b>Board of Directors</b></p> <p>Kingate Euro Fund Ltd. has three Independent Directors not associated with the Investment Advisor"</p> <ul style="list-style-type: none"> <li>- John Epps who replaces Charles D. Sebah: Managing Partner of SV International.</li> <li>- Christopher Wetherhill: Founder of BISYS and former director of MRM Financial Services Ltd. (directorship ceased when MRM sold BISYS)</li> <li>- Graham Cook</li> </ul>	



**Kingate Global Fund, Ltd. & Kingate Euro Fund, Ltd.**  
**Audit Strategy Memo**  
**Year Ended December 31, 2006**

II. Understanding the Business	Comments/References
<p>Kingate Global Fund Ltd. has four Independent Directors not associated with the Investment Advisor:</p> <ul style="list-style-type: none"> <li>- Sandra Manzke: President of Tremont Advisors</li> <li>- Charles D. Sebah: Managing Partner of SV International.</li> <li>- Christopher Wetherhill: Director of KML</li> <li>- Graham Cook</li> </ul> <p>The Board of Directors meet periodically to review the performance and administrative affairs of the Fund.</p> <p>The Board of Directors continues to increase its role as non-executive Directors</p> <p><b>Value Creating Activities</b></p> <p><b>Key Management:</b></p> <p>The administrator has a staffing structure that allows the fund to be appropriately serviced, with the use of suitably qualified staff and staffing levels representative of the size of the fund's operations. The Investment Manager (Madoff) is responsible for the day to day trading activity of the funds and the funds have a history of solid performance. The structure of the fund and service entities is appropriate for this fund. See risk assessment and audit strategy per the audit comfort matrix.</p> <p>BISYS personnel are as follows:</p> <ul style="list-style-type: none"> <li>Brendan Sheehan - Senior Fund Accountant, responsible for the preparation of the weekly NAV estimates and monthly NAVs</li> <li>Daniel O'Donovan - Account Manager, responsible for the detailed review of the weekly NAV estimates and monthly NAVs</li> <li>Ciara Harnett - Group Manager, responsible for overall review of monthly NAVs before sent to KML for final approval for release to shareholders</li> </ul> <p>Investment managers:</p> <p>KML and Tremont are co-managers of Kingate Global and KML is the manager of Kingate Euro. Tremont is not actively involved in the Fund's operations or decision making (Tremont originally came on board when the fund was introduced to Madoff). KML - Chris Weatherhil, director of KML is responsible for reviewing and approving the monthly NAVs, once approval is given, BISYS will forward final NAVs to shareholders.</p>	



**Kingate Global Fund, Ltd. & Kingate Euro Fund, Ltd.**  
**Audit Strategy Memo**  
**Year Ended December 31, 2006**

II. Understanding the Business	Comments/References
<p><b>Related parties</b></p> <p>The following related parties have been identified:</p> <ul style="list-style-type: none"> <li>o Kingate Management Limited (Investment Manager )</li> <li>o FIM Limited (Consultant)</li> <li>o Tremont (Co-Manager for Kingate Global)</li> <li>o BISYS Hedge Fund Services Limited (Administrator)</li> <li>o Bernard Madoff Securities (Investment advisor, US regulated broker dealer and custodian)</li> <li>o HSBC (Banker)</li> <li>o Member of the Board of Directors</li> </ul>	
<p><b>Industry and regulatory developments</b></p> <p>There are no significant developments that are having an impact on the business. The Fund obviously plans to react to changes to markets through appropriate investment decisions.</p>	
<p><b>Financial performance</b></p> <p><b>Financial Condition</b></p> <p><b>Estimates</b></p> <p>BISYS produce an estimated weekly NAV for both funds. Management does not use estimates in the preparation of financial statements and monthly NAV's. For the weekly estimates that are performed, these are not used as part of the subscription/redemption process.</p> <p>Weekly portfolio results are forwarded by Madoff. No price testing is performed at this stage by BISYS. The "estimated" NAV is prepared by the fund accountant and reviewed by the account manager. No review of this estimate is performed by the BISYS group manager or KML prior to it being sent to all shareholders and KML.</p> <p><b>Overall Financial Reporting</b></p> <p>BISYS prepares a monthly NAV which is subject to two levels of review, first by the account manager and then by the group</p>	



**Kingate Global Fund, Ltd. & Kingate Euro Fund, Ltd.**

**Audit Strategy Memo**

**Year Ended December 31, 2006**

II. Understanding the Business	Comments/References
<p>manager. Once the NAV has been approved by the group manager at BISYS the NAV calculation is sent to KML who perform a review and approve the NAV for release to shareholders. Hemisphere is a reliable fund administrator in Bermuda and employs professional staff, there is no reason to question the ability of BISYS staff to prepare and review accurate reports for KML's review.</p> <p>There are significant levels of review by both BISYS and KML management to identify control breakdowns or possible misstatements. In addition to the preparation of monthly NAVs, BISYS also prepares weekly estimates, which assists in the month end preparation as a method of ensuring the reasonableness of results.</p> <p>Where results for the month are not as expected, additional procedures performed by BISYS include additional pricing tests to verify significant fluctuations in NAV and/or discussions of results with the Investment Manager to obtain explanations for performance variances.</p> <p><b>Budgetary Controls</b></p> <p>Management does not utilize budgets but monitors performance of the underlying investments and fluctuations in NAV. The investment advisor monitors the portfolio holdings and their performance on an ongoing basis in order to assist with the investment management decisions. The Administrator prepares monthly (and weekly estimates) of the NAV from the source documents provided by the IA (Madoff). The manager of the fund (KML) actively reviews the NAV at each calculation date.</p>	
<p><b>Preliminary analytics</b></p> <p>See MyClient Database for detailed work performed.</p>	
<p><b>Disaggregated revenue analytics</b></p> <p>Analysis of revenue is covered in review of performance as per preliminary analytics in the file.</p>	



**Kingate Global Fund, Ltd. & Kingate Euro Fund, Ltd.**

**Audit Strategy Memo**

**Year Ended December 31, 2006**

II. Understanding the Business	Comments/References
<p data-bbox="409 423 806 444"><b>Preliminary assessment of going concern</b></p> <p data-bbox="367 477 940 498">Done, risk of going concern is assessed as low per the following:</p> <ul data-bbox="491 531 1465 834" style="list-style-type: none"><li data-bbox="491 531 1094 552">o The FRISK has resulted in no issues of heightened risk of fraud,</li><li data-bbox="491 557 1465 605">o Performance in the Fund has been consistently positive and moving in trends that track the movements of their underlying securities as documented by the preliminary analytics,</li><li data-bbox="491 610 1465 659">o The Investment Advisor constantly working to improve the investment strategy to ensure that it correlates with changing market conditions as documented in the testing of the investment strategy,</li><li data-bbox="491 664 1465 764">o There are several investors who are interested in investing in the Fund, however, subscriptions are routinely declined by the Fund Manager - thus there is not any problems anticipating with the Fund maintaining its current capital or risk of significant capital being redeemed as result of the consistent positive performance achieved by the Funds.</li><li data-bbox="491 769 1402 790">o As per meeting held with Madoff, the client does not believe there are any going concern problems,</li><li data-bbox="491 795 1465 834">o Identified risks have been taken into consideration in the preparation of and conduct of the controls testing performed and documented. No control issues were noted.</li></ul>	

For internal distribution only  
**CONFIDENTIAL**



**Kingate Global Fund, Ltd. & Kingate Euro Fund, Ltd.**

**Audit Strategy Memo**

**Year Ended December 31, 2006**

III. Internal Control Environment	Comments/References
<p><b>Understanding the Company's Internal Control (including Company Level Controls)</b></p> <p>Key reviews by upper management of the reconciliation procedures in place on the funds are key to monitoring the appropriateness of the NAV and financial statement reporting process. Periodic reviews of the fund performance and results are undertaken by FIM Limited in its role as marketer of the Fund. KML oversees the NAV process performed by BISYS, with directors of KML approving the NAV on a monthly basis.</p> <p>Specifically at the administrator, group manager reviews are performed of share transaction cycle activity, NAV production cycle, financial statements and audit packs. In addition the administrator maintains a risk management function (see details below), which includes an internal function, and holds regular meetings across all groups at the administrator to ascertain and compile results of recent events.</p> <p>While a moderate level of assurance can be taken on the controls that upper management has in place (justified by the results of our controls testing in each cycle, where such checks and monitoring was identified and reviewed), certain amounts of additional testing on a substantive level (substantive analytics and tests of detail) will be performed, as indicated in the results of each cycle.</p> <p>The entities controls include the following:</p> <ul style="list-style-type: none"> <li>- independent accounting for and reconciling of positions (BISYS as independent administrators);</li> <li>- valuation and pricing verified independently by BISYS;</li> <li>- cash controls for receiving of subscriptions, remitting redemptions, payment of expenses.</li> </ul> <p>The controls surrounding the fund seem appropriate for the type and level of trading and investments maintained.</p> <p>While certain controls may mitigate risks, our audit procedures are designed around 100% valuation and existence process, in addition to testing of cash reconciliations.</p> <p>There appears to be strong organizational control of the funds and the surrounding service providers. That is, there is a visible segregation of duties between significant functions (investment adviser - trading and operations, custodian, fund accountant, and transfer agent). There is also levels of segregation within some of these functions - note that Madoff is the Investment Advisor and the Custodian, as such additional procedures were undertaken to satisfy ourselves that these functions operate independently of each other. The fund accountant and transfer agent are both performed by BISYS, however, Kingate Management and Tremont are also actively involved in reviewing subscriptions/redemptions to the Fund as such additional reviews seems to be appropriate to mitigate the fact that both functions are performed by the administrator.</p>	

For internal distribution only  
**CONFIDENTIAL**



**Kingate Global Fund, Ltd. & Kingate Euro Fund, Ltd.**  
**Audit Strategy Memo**  
**Year Ended December 31, 2006**

III. Internal Control Environment	Comments/References
The PwC team discussion was lead by Andrew Brooks and Scott Watson-Brown, drawing on the existence and valuation processes and ensuring the correct information is flowed into the statements and also amongst team members. Concerns were raised with respect to Madoff acting as the investment advisory and also being the market maker for the transactions entered into and whether transactions occurring during the year were occurring at fair values. Additional procedures were undertaken as part of the audit process to address these concerns.	Issues regarding Madoff acting as Investment Mgr, Custodian, and Broker/Dealer have been addressed in the Critical Matter in the MyClient file.
<p><b>Understanding the IT environment</b></p> <p>SPA review of BISYS was conducted and documented by Matthew Clarke (PwC, Manager) in September 2005. See results and flowcharts in e-mail attachment in MyClient file.</p>	
<p><b>Considerations required only for integrated audits: (Mark this section N/A if not subject to 404)</b></p>	
<p><b>Understanding and evaluating:</b></p> <p><b>Management's assessment process</b></p> <p>N/A</p>	
<p><b>Significant accounts</b></p> <p>N/A</p>	
<p><b>Significant locations or business units</b></p> <p>N/A</p>	
<p><b>Significant processes</b></p> <p>N/A</p>	
<p><b>Plan to test and evaluate management's assessments</b></p> <p>Key audit risks have been identified in the audit comfort matrix, these include:</p> <ul style="list-style-type: none"> <li>(i) a significant market wide decline in stock prices; and</li> <li>(ii) a significant redemption of capital by shareholders</li> </ul>	

For internal distribution only  
**CONFIDENTIAL**



**Kingate Global Fund, Ltd. & Kingate Euro Fund, Ltd.**

**Audit Strategy Memo**

**Year Ended December 31, 2006**

---

III. Internal Control Environment	Comments/References
There is obviously very little that an investment manager can do about the risk of redemptions, however, assuming the fund performs well then investors should not redeem. A significant part of the risk of a downturn in investments is the hedging options that the funds utilize.	

KING\_000072640

For internal distribution only  
**CONFIDENTIAL**



**Kingate Global Fund, Ltd. & Kingate Euro Fund, Ltd.**  
**Audit Strategy Memo**  
**Year Ended December 31, 2006**

IV. Audit Scope Considerations	Comments/References
<p><b>Consideration of, and changes to, prior year audit approach</b></p> <p>In applying the risk-based approach to determining the nature, timing and extent of our testing for the financial statement audit, we considered the following factors:</p> <ol style="list-style-type: none"> <li>1. Results of prior year audit</li> <li>2. Prior history of misstatements due to error or fraud or control deficiencies</li> <li>3. Significant changes in internal control environment</li> <li>4. Significant changes in the business</li> </ol> <p>From the above considerations, there were no new items that could have an impact on our planned procedures for the audit.</p>	
<p><b>Preliminary assessment of materiality (overall, planning, specific &amp; de minimis)</b></p> <p>As recommended in PwC Audit 1311 for investment funds, <b>overall</b> materiality will be set at 0.5% of net assets. This is compounded by the following factors:</p> <ol style="list-style-type: none"> <li>1. There have been no adjustments to net assets in prior years;</li> <li>2. This is an industry standard materiality threshold for investment funds investing in priceable securities; and</li> <li>3. From the review of the operations of the entity in the reporting period, there have been no fundamental changes,</li> </ol> <p>Due to the following facts:</p> <ol style="list-style-type: none"> <li>1. There have been no significant changes in the operations;</li> <li>2. This is not the first year audit;</li> <li>3. There are no going concern issues,</li> </ol> <p>PwC have deemed a "haircut" of 25% of <b>overall</b> materiality to be suitable for <b>planning</b> materiality.</p> <p>A <b>de minimis</b> threshold will be set at 10% (as judgement) of <b>overall</b> materiality.</p>	<p>See materiality spreadsheet attached to the MyClient Database.</p>
<p><b>Potential for material misstatements and other risks</b></p> <p><b>Significant new and complex accounting matters</b></p> <p>Both Kingate Funds use derivative instruments in their investment strategy. Only Kingate Euro is expected to have derivative instruments at year-end - forward currency contracts. Refer to detailed testing performed and documented in MyClient file</p>	



**Kingate Global Fund, Ltd. & Kingate Euro Fund, Ltd.**

**Audit Strategy Memo**

**Year Ended December 31, 2006**

IV. Audit Scope Considerations	Comments/References
<p><b>Risk of material misstatement due to fraud (including heightened risk)</b></p> <p>Done, the following 3 general conditions were considered:</p> <p>(i) Incentives: Independent calculations are performed on amounts payable for performance based fees including management and administration fees - these calculations are reviewed as part of our interim and final field work</p> <p>(ii) Misappropriation: Independent monthly NAV calculations are performed, and approved by Kingate Management. There is the appropriate level of segregation to detect an error or fraud</p> <p>(iii) Attitude: Chris Wetherhill is generally concerned about the operations and performance of the funds and they take the issues of money laundering very seriously. Madoff sets a strong "tone at the top" on the IA side and the other service providers for the funds appear to have appropriate consideration for ethical behaviour, etc.</p> <p><u>Heightened fraud risk assessment:</u></p> <p>Heightened fraud risk exists if any of the following questions are answered yes:</p> <p>1. With regards to the current FRISK v3: a) The frisk score equal to or greater than 42, <b>and No, actual score of 26</b> b) Any of the following risk conditions triggered: - incentive for intentional misstatement in financial reporting, <b>No</b> - integrity and ethics, <b>or No</b> - management inclination for intentional misstatement in financial reporting <b>No</b></p> <p>2. Is this client a significant client in the United States or a material subsidiary of a significant client in any other territory? <b>No</b></p> <p>3. Is this client a public company (eg SEC registrant) or is it a material subsidiary of a public company in any territory? <b>No</b></p> <p>4. Is this a first or second year audit? <b>No</b></p> <p>Accordingly, the Fund does not have a heightened risk of fraud.</p>	

For internal distribution only

**CONFIDENTIAL**



**Kingate Global Fund, Ltd. & Kingate Euro Fund, Ltd.**  
**Audit Strategy Memo**  
**Year Ended December 31, 2006**

IV. Audit Scope Considerations	Comments/References
<p>PwC has documented discussions held on fraud and the effect on the audit programme as follows:</p> <ul style="list-style-type: none"> <li>o minutes of call with Frank De'Pascali</li> <li>o minutes of the meeting held with Chris Wetherhill (Kingate Management Limited) per</li> <li>o It was confirmed via discussion with the Fund accountant (Brendan Sheehan) that he was not aware of any fraud/material misstatement.</li> </ul> <p><u>Overall assessment</u></p> <p>In developing our 2006 approach, we considered risk factors relative to the Fund's industry, functions and processes as well as considering the potential for material misstatements due to error or fraud. Evidence gathered to assist us in making this assessment included:</p> <ol style="list-style-type: none"> <li>1. Prior year working papers</li> <li>2. Results of preliminary analytics</li> <li>3. Client continuance procedures</li> <li>4. New accounting pronouncements (none noted)</li> <li>5. Results of inquiries of management (service providers) – see steps 1750-10 and 1750-20</li> </ol> <p><i>See the attachment in the audit file summarizing fraud risk assessment.</i></p>	
<p><b>Key risks or significant matters identified from review of: Acceptance and Continuance, Independence, board &amp; key committee minutes, significant contracts, internal audit reports and other</b></p> <p>The Funds were not determined to be high risk. The items in the Risk and Approach Schedule from A&amp;C have been brought forward into the Summaries of Comfort.</p>	
<p><b>Understanding of, and reliance on, internal audit or relevant compliance functions</b></p> <p>The Funds themselves do not have an internal audit function although BISYS, the administrator does have its own internal audit function. Based on discussions of the scope of the work performed by BISYS internal auditor, it is not anticipated that we will be able to rely on any of their work.</p>	

KING\_000072643

For internal distribution only  
**CONFIDENTIAL**



**Kingate Global Fund, Ltd. & Kingate Euro Fund, Ltd.**  
**Audit Strategy Memo**  
**Year Ended December 31, 2006**

<b>V. Communication and Coordination</b>	<b>Comments/References</b>
<b>Matters discussed with the audit committee/management</b>  See the Client Service Plan presented to BISYS in the MyClient Database on 1750-30	
<b>Use of specialists and experts</b> Not considered necessary. PwC Bermuda Investments Group is anticipated to have suitable knowledge and experience based on planning knowledge of Fund's operations.	
<b>Multi-location audit plan (if applicable)</b> N/A	
<b>Review schedule</b>  Graham MacDonald, Team Manager, will review the entire file.	
<b>TeamFind key dates</b>  Period Begin Date – January 1, 2006 Period End Date – December 31, 2006 Report Signing Date – March 31, 2007 Report Release Date - April 18, 2007	

KING\_000072644

For internal distribution only  
**CONFIDENTIAL**



**Kingate Global Fund, Ltd. & Kingate Euro Fund, Ltd.**  
**Audit Strategy Memo**  
**Year Ended December 31, 2006**

---

VI. Summary Plan & Results	Comments/References
See ACM with extended SOC's in the "Summary Plan & Results" step.	

KING\_000072645

For internal distribution only  
**CONFIDENTIAL**



**Kingate Global Fund, Ltd. & Kingate Euro Fund, Ltd.**  
**Audit Strategy Memo**  
**Year Ended December 31, 2006**

---

VII. Audit Strategy Memo Approvals	Comments/References
------------------------------------	---------------------

I have read the above Audit Strategy Memo and related attachments and understand the broad approach to the areas on which we need to obtain audit evidence so that the audit is performed in an effective manner and have shared it with key engagement team members as deemed appropriate.

All key risks identified have been appropriately carried forward to the "Summary Plan & Results".

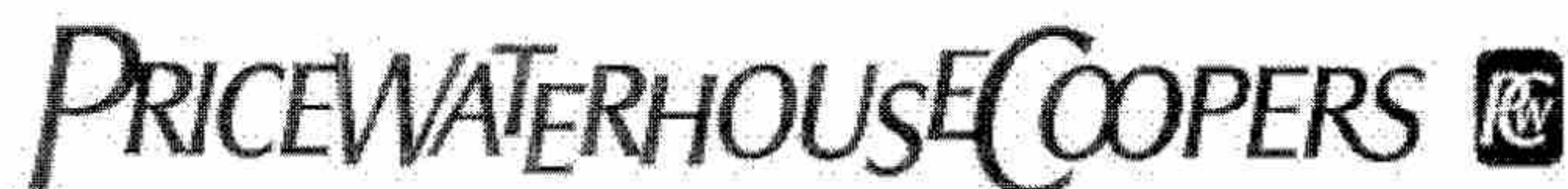
Name	Date
Team Manager	
Engagement Leader	
Quality Review Partner	

For internal distribution only  
**CONFIDENTIAL**



## **EXHIBIT 16**





PricewaterhouseCoopers  
Chartered Accountants  
Dorchester House  
7 Church Street  
Hamilton  
Bermuda HM 11  
Telephone +1 (441) 295 2000  
Facsimile +1 (441) 295 1242

## Fax cover sheet

To: Chris Weatherill  
Company: Kingate Management Ltd  
Fax No: ~~011 44 207 376 0596~~  
296-6775  
From: Andrew Brook  
Fax Number: +1 (441) 295 1242  
Date: November 20, 2002

Pages: (including this page)

If this fax is incomplete or illegible please telephone:

Notice: If the reader is not the specified recipient of this confidential fax transmission you are hereby notified that any distribution or copying of this communication is strictly prohibited. If you are not the specified recipient please notify us immediately by telephone. Thank you.

Subject: FIM/Madoff  
Chris

Please find attached letter as promised. I trust that this meets the needs.

Best regards

MAILING ADDRESS: PO BOX HM 1171, Hamilton, Bermuda HM EX

A list of partners can be obtained from the above address

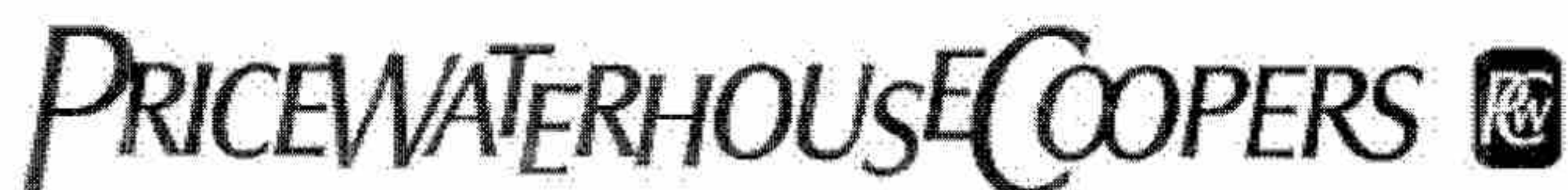
CONFIDENTIAL

PWCB000301

KING\_000069793

KING\_000069793





PricewaterhouseCoopers  
Chartered Accountants  
Dorchester House  
7 Church Street  
Hamilton  
Bermuda HM 11  
Telephone +1 (441) 295 2000  
Facsimile +1 (441) 295 1242

**Private and Confidential**

Mr Carlo Grosso  
Chairman and Chief Executive Officer  
FIM Ltd  
25-28 Old Burlington Street  
London W1S 3AN

November 20, 2002

**Subject: Audit Visit to Bernard L. Madoff ("Madoff")**

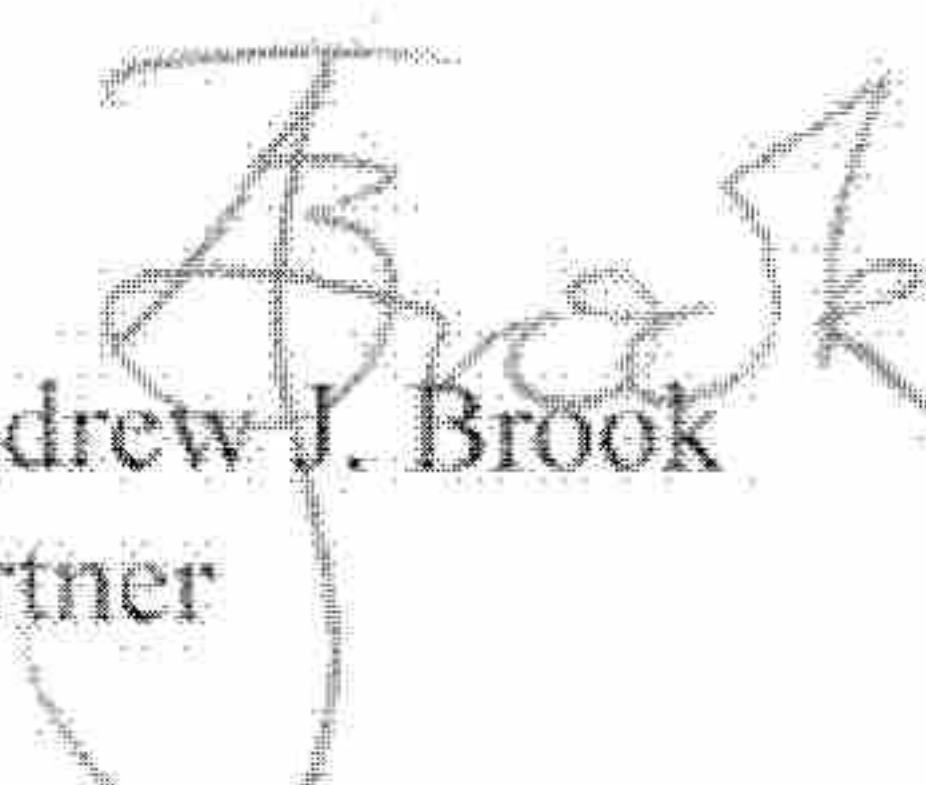
Dear Carlo

As you are aware PricewaterhouseCoopers is now the auditor of a number of funds who use Madoff as investment advisor, broker and custodian. PwC have determined that in order to meet our requirements under Generally Accepted Auditing Standards we need to update and validate our knowledge of the processes and controls operated by Madoff and consequently have looked to arrange a visit to their operations by one of our New York Capital Markets Partners, Linda McGowan, accompanied by Scott Watson-Brown a manager in the Bermuda office. The timing of this would ideally be early December. This visit is a co-ordinated event with the PwC Rotterdam and Dublin offices as well as PwC Bermuda participating as the principal PwC offices that deal with funds advised by Madoff.

I understand from Mr Chris Weatherill that you have kindly offered to discuss this with Madoff on behalf of all the funds involved and we very much appreciate you taking this on board.

As always if there are any questions or comments please do not hesitate to contact me.

Very truly yours,

  
Andrew J. Brook  
Partner

MAILING ADDRESS: PO BOX HM 1171, Hamilton, Bermuda HM EX.

A list of partners can be obtained from the above address

**CONFIDENTIAL**

**PWCB000302**

KING\_000069794

KING\_000069793



P. 1

\* \* \* TRANSMISSION RESULT REPORT ( NOV.20.2002 6:17PM ) \* \* \*

TTI GRAY&KEMPE

DATE	TIME	ADDRESS	MODE	TIME	PAGE	RESULT	PERS. NAME	FILE
7.20.	6:16PM	441 296 6775	TES	0'51"	P. 2	OK		957

# : BATCH  
M : MEMORY  
S : STANDARD

C : CONFIDENTIAL  
L : SEND LATER  
D : DETAIL

\$ : TRANSFER  
@ : FORWARDING  
F : FINE

P : POLLING  
E : ECM  
> : REDUCTION

CONFIDENTIAL

PWCB000303

KING\_000069795

KING\_000069793



\* \* \* TRANSMISSION RESULT REPORT ( NOV.20.2002 8:47AM ) \* \* \*

TTI GRAY&KEMPE

DATE	TIME	ADDRESS	MODE	TIME	PAGE	RESULT	PERS.	NAME	FILE
11.20.	8:46AM	+44 20 7376 0596	TES	0'48"	P. 2	OK			945

# : BATCH  
M : MEMORY  
S : STANDARD

C : CONFIDENTIAL  
L : SEND LATER  
D : DETAIL

\$ : TRANSFER  
@ : FORWARDING  
F : FINE

P : POLLING  
E : ECM  
> : REDUCTION

CONFIDENTIAL

PWCB000304



## **EXHIBIT 17**



**Andrew  
Brook/BM/ABAS/PwC@AME  
RICAS-BM**

10/19/2004 07:17 AM

To Mark Hourigan/IE/ABAS/PwC@EMEA-IE@INTL, Scott  
Watson-Brown/BM/ABAS/PwC@Americas-BM  
cc Anthony Artabane/US/ABAS/PwC@Americas-US, Barry  
Knee/US/ABAS/PwC@Americas-US, Ken  
Owens/IE/ABAS/PwC@EMEA-IE

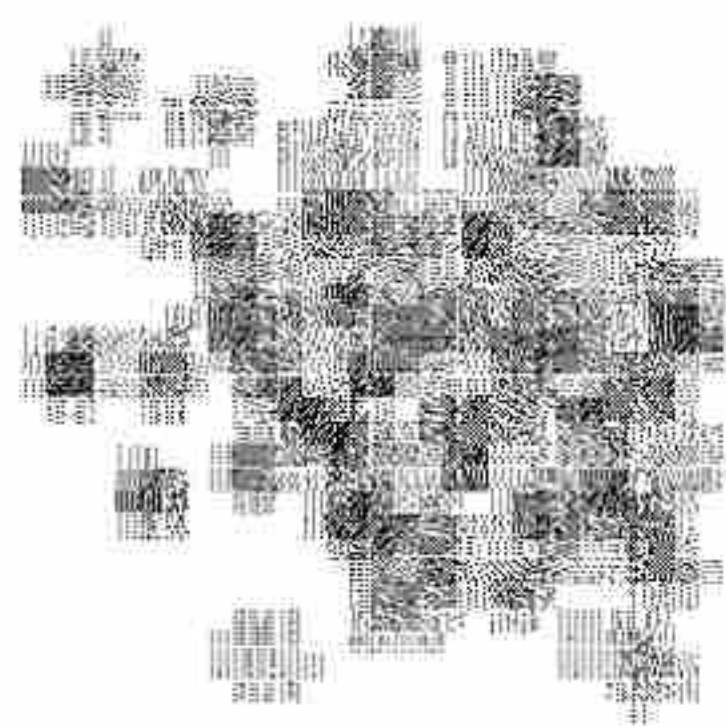
bcc

Subject Re: Madoff 

Mark

Scott will give you a call later today/tomorrow. We have done work, with assistance of PwC NY Broker  
Dealer experts (Linda McGowan) as part of audits of two funds- one signed of here and the other in the  
Netherlands.

Mark Hourigan/IE/ABAS/PwC@EMEA-IE



**Mark  
Hourigan/IE/ABAS/PwC@EM  
EA-IE**

10/19/2004 05:38 AM

Anthony  
Artabane/US/ABAS/PwC@Americas-US@Americas-US@IN  
To TL, Barry  
Knee/US/ABAS/PwC@Americas-US@Americas-US@INTL,  
Andrew Brook/BM/ABAS/PwC@Americas-BM @ INTL  
cc Ken Owens/IE/ABAS/PwC@EMEA-IE

Subject Madoff

Folks

We have received a question from a senior research analyst at Optimal Investment Services, which is one  
of our bigger clients in Dublin regarding what work if any we do at Madoff.

Can someone let me know a name of the best person (in PwC) to speak to, I would very much appreciate  
it.

Regards

Mark

CONFIDENTIAL

PwC\_MACK\_00000038

Confidential

KING\_000075408

KING\_000075408